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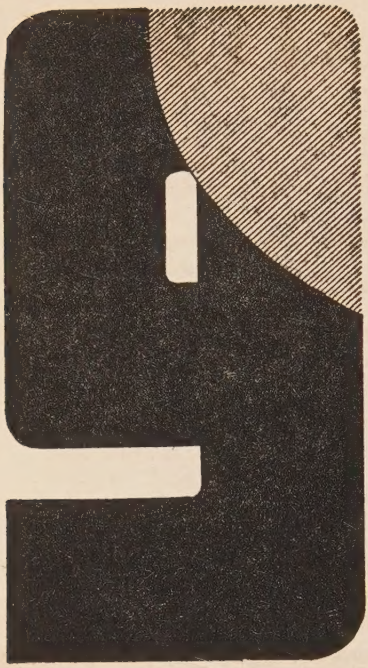

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ALFRED T. COLLINS, General Manager.

AUDITOR:

JEREMIAH BUCKLEY, Chartered Accountant, 46 Dame Street.

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REPORT OF THE DIRECTORS
OF
THE HIBERNIAN BANK LIMITED

Submitted to the Shareholders at their Ordinary General Meeting held on Monday, the 27th day of January, 1936.

The Directors submit to the Shareholders the annexed Balance Sheet as at 31st December, 1935, with relative Profit and Loss Account for the Half-year to that date and a copy of the Auditor's Report thereon.

After providing for rebate on bills, interest on deposits, bad and doubtful debts and contingencies, the net profits for the half-year amount to	£42,131	13	6
To which has to be added :—			
Balance of undivided profits from last Account ...	25,688	17	0
	£67,820	10	6
The Directors have transferred to the Reserve Fund the sum of	£10,000	0	0
And they recommend that the balance be applied as follows, viz. :—			
In payment of a dividend for the half-year at the rate of **Twelve** per cent. per annum, subject to deduction of Income Tax	30,000	0	0
In reduction of Bank Premises Account ...	5,000	0	0
To next Account	22,820	10	6
	£67,820	10	6

The Reserve Fund now stands at £690,000.

By Order of the Board,

ALFRED T. COLLINS
General Manager.

DUBLIN, 14th January, 1936.

THE HIBERNIAN BANK LIMITED

Dr. BALANCE SHEET, 31st DECEMBER, 1935. Cr.

LIABILITIES.	£ s. d.	ASSETS.	£ s. d.
To Capital, viz.:—100,000 Shares of £20 each—£2,000,000; amount paid up, £5 per Share	500,000 0 0	By Cash in hand and with Bankers ...	1,180,258 12 4
,, Reserve Fund	690,000 0 0	,, Investments, viz.:—	
,, Consolidated Bank Notes outstanding ...£550,000 0 0		War Loan, Irish Free State National Loans, and other Government Stocks (including Stock lodged with the Currency Commission by way of Security for Consolidated Bank Notes outstanding as per contra) ...	4,996,136 2 4
Less: Held by the Bank ... 57,594 0 0	492,406 0 0	Corporation Stocks, Railway Debenture Stocks, and other Securities	303,092 16 8
,, Deposit, Current, and other Accounts, including Interest due on Deposits	10,898,771 13 10		6,479,487 11 4
,, Sundry Agents	19,131 14 3	,, Bills Discounted, Advances on Current Accounts, Loans, etc., after deducting provision for Bad and Doubtful Accounts ...	5,973,331 16 2
,, Rebate on Bills Discounted not at maturity	4,894 5 11	,, Sundry Agents	30,321 2 7
,, Profit and Loss Account ... £67,820 10 6		,, Bank Premises and Furniture (Head Offices and 58 Branches) at cost, less amounts written off	179,883 14 5
Less: Transferred to Reserve Fund ... 10,000 0 0	57,820 10 6		
	£12,663,024 4 6		£12,663,024 4 6

PROFIT AND LOSS ACCOUNT for Half-year ended 31st DECEMBER, 1935.

	£ s. d.		£ s. d.
To Expenses of Management, including Directors' Fees (£2,000), Salaries, Pensions and Allowances, Bonuses and Grants to Staff, Rents, Rates, Repairs, Revenue Taxes, and all other outlay	105,613 15 10	By Balance from last Account ...	25,688 17 0
Amount transferred to Reserve Fund	10,000 0 0	,, Gross Profit for Half-year, after providing for Rebate on Bills, Interest on Deposits, Bad and Doubtful Debts and Contingencies	147,745 9 4
,, Dividend to be paid in February, 1936, subject to deduction of Income Tax ... £ s. d. 30,000 0 0			
,, Bank Premises Acct. 5,000 0 0			
,, Balance to next Acct. 22,820 10 6	57,820 10 6		
	£173,434 6 4		£173,434 6 4

AUDITOR'S REPORT

I have obtained all the information and explanations I have required in the course of my examination in detail of the foregoing Profit and Loss Account and Balance Sheet.

I have verified the Investments. Their market value as on 31st December, 1935, is in excess of the amount at which they stand in the Balance Sheet. I have also verified the Cash and Bills in hand at the Head Office.

The Balance Sheet is, in my opinion, properly drawn up so as to exhibit a true and correct view of the state of the Company's affairs according to the best of my information and the explanations given to me, and as shown by the Books of the Company and the Certified Returns from the several Branches.

JEREMIAH BUCKLEY (KEAN & Co.),
DUBLIN, 14th January, 1936. Chartered Accountant. Auditor.

MARTIN F. MAHONY,
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} *Directors.*

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STUDIES

An Irish Quarterly Review

MARCH 1936

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BY PROFESSOR ALFRED O'RAHILLY

THE question of a Senate can be profitably discussed only by first explicitly formulating its constitutional background. It is only after we have investigated the possible or desirable functions of a Second Chamber that we can usefully tackle the real, but limited, problem of its composition. Hence, in order to explain my views on a Senate, I must recapitulate, however briefly, certain political principles which I hold. I shall do this by referring to an unpublished Constitution[1] which I drafted and presented in 1922.

I assume that " political authority comes from God to the people."[2] That is, I hold that the sovereignty of the people is essentially limited by the natural and moral law, for otherwise it could not be God-given. There is no need of defending this thesis here ; I argued for it at length in several articles published in STUDIES many years ago. The practical objection, current in the modern sceptical world, that agreement cannot be reached as to what are objective natural rights and social principles, should surely be inapplicable to a country which is over 93 per cent. Catholic. But even in Ireland it is unfortunately necessary to emphasise that there is no such thing as unlimited sovereignty of the people ; as indeed the vast majority of us know very well. It follows then that a primary object of any Constitution suited to this country is to enumerate the natural and quasi-natural rights which we, the people, wish to declare intangible and sacrosanct ; and also to lay down the social ideals which we wish to govern community-life and State-functioning. Now in fact I tried to do this in three Chapters :

Individual Rights and Duties (8 articles).
Family, Education and Religion (8 articles).
Economic Life (7 articles).

[1] For reasons which need not at the moment be specified, the project of publishing this in full (with footnotes) in STUDIES for September 1922 fell through.

[2] *Not*, as the preamble of the present Constitution has it, " that all lawful authority comes from God to the people." What about the authority of a parent or of a Bishop ? It is quite in keeping with this false start that neither parent nor family is so much as mentioned in our present Constitution.

Most of this is entirely missing from the present Constitution; and even when the subject-matter is included—*e.g.* education in articles 8 and 10—it is grossly inadequate and inaccurate. What we want in our Constitution is a recital of fundamental principles and natural rights, positively to be fostered and negatively not to be abrogated, together with the enunciation of social ideals and guiding principles for State action. There would really be no difficulty in getting together a body of educated Irishmen to agree on these principles; that is, unless all our study and talk of Papal Encyclicals and Catholic Action is merely abstract dialectics. Nevertheless the fact to-day is that we have a woefully meagre, barren and inaccurate Constitution, which is not only out of touch with the living ideals of our people but is entirely incapable of safeguarding us in a time of stress and passion, such as may easily occur in the not distant future.

What has all this to do with a Senate? Everything, for one who, like the present writer, holds that the chief object of a Senate is to defend the Constitution against encroachment by the Dáil. For, if we have a Constitution which is a mere travesty of our professed principles, which contains hardly anything worth defending, then my chief argument for a Second Chamber is gone; no use having a watchdog when there is nothing to watch. Therefore I am not prepared, at least with any great conviction, to advocate a Senate until we have a proper Constitution. At the present moment we have really no Constitution at all; for an Act which can be amended at any time by a chance majority of Parliament does not deserve the term except by way of fooling the people. On fundamental questions like Family, Marriage, Education, Private Property, Social Structure, we have failed to enunciate a single clear principle. And even when we did jumble a few generalities into an Act, we left them to the mercy of a party majority—hitherto, but no longer, slightly impeded by a body of people who were reckoned as economically and socially conservative. I, for one, decline to make any defence of such a position, which in the near future may become reminiscent of Mrs. Partington and her mop facing the Atlantic.

Before proceeding further I therefore postulate or advocate :

(1) A Constitution safeguarding natural rights and moral principles, enunciating social ideals, in consonance with the professed tenets of our people.

(2) This Constitution must be rigid in the sense that, after receiving the initial approval of the people (not merely of a Constituent Assembly), it can be amended only by a direct vote of the people.

Let us consider this second point. Article 47 of the Constitution provided that two-fifths of the Dáil or a majority of the Senate may hold up a Bill (not Money or urgent) for ninety days ; and if within that period a Referendum is demanded by three-fifths of the Senate or one-twentieth of the electorate, the Bill shall be submitted to the people. But in July 1928 the Senate by 34 votes to 7 abolished this article.[1] So far as I am concerned, the Senate thereby committed suicide. For I am not interested so much in the minor, though useful, functions of a Second Chamber, as in the institution of a body to defend the people against a party-ridden Dáil. It is, I admit, a view not generally held ; but I believe that thoughtful citizens, capable of rising above party prejudice, will increasingly agree with me. I had in my Constitution a provision similar to article 47, but mandatory without further legislation. Senator Douglas[2] quotes this from my " draft not previously published," and he seems to be astonished at it. " This," he says, " would have placed the Seanad in a dominating position in all legislation except finance ; and the proposal that the Seanad should have this veto was not one which commended itself to the other six reporting members of the Committee." My wording is :—

If the Bill does not appropriate revenue or impose taxation, it shall become inoperative unless within that interval [three months] a referendum is demanded by 50,000 voters or by a majority of the House or Senate, in which case the law as finally passed by the House shall be submitted to a vote of the people for acceptance or rejection.

[1] The three Labour Senators (M. Duffy, T. Farren, J. O'Farrell) were among the minority. Senators Westropp Bennett and Douglas were among the abolitionist majority.

[2] *President de Valera and the Senate*, 1934, p. 18.

That is, a majority of the Senate can demand a referendum ; whereas according to article 47 three-fifths of the Senate can do so. Now this article 47 is, almost *totidem verbis*, found in the other two drafts, one of which was signed by Senator Douglas himself. The difference between these signatories and myself was really not very significant in practice.[1] In 1922 the Constitution Committee was therefore unanimous in giving the Senate the power of calling for a referendum ; but in 1928 the Senate decided, in conjunction with the Dáil, to cut the people out as somewhat of a nuisance. To say now that this power of the Senate to refer the Dáil to the People that elected them gives the Senate " a dominating position " is a poor excuse for the 1928 abdication. The whole point of the referendum is to prevent Parliament from dominating the People.

Besides, I had a special reason for my own draft, as I will now explain. There are two cases in which I can conceive the Dáil to exceed its legitimate functions ; and I believe that both these have often occurred in the last fourteen years. An election is won on a party-ticket combining many disparate items—say, the Treaty and a certain social programme or the absence thereof. At election-time we have no choice but to vote for the whole jumble, which party headquarters have put together. When the party gets in, it can enforce the whole lot which, without a referendum (*via* the Senate), we cannot disjoin. Or the majority party can—and of course does—bring in enactments of which the Murphys heard little or nothing at all on the hustings. Once in, the party can do practically what it likes, subtly mingling the bitter with the sweet of super-patriotism or public safety. There are many of us who, in these circumstances, would like a Senate capable of reminding the Dáil that the People, to whom God has given political authority, are not in a state of suspended animation and impotence between election-times. A Senate might overwork the referendum for a year or so ; but it would soon learn sense

[1] According to my draft the Senate could by a majority (1) demand a referendum, or (2) hold up the Bill and then the Dáil by a majority could insist on a referendum. According to the other drafts the Senate could by a majority of three-fifths demand a referendum. In any serious case the Senate would obviously take action under (1) in order to forestall the Dáil's action under (2).

and acquire a good flair for recognising the popular will, without which accomplishments it could hardly hope to survive.

There is a second case of excess in the Dáil : it may seek to pass legislation which is, probably covertly, contrary to the Constitution. According to article 65, " the judicial power of the High Court shall extend to the question of the validity of any law having regard to the provisions of the Constitution." For many reasons which cannot here be developed, I was and am still opposed to giving the judiciary the power of declaring laws unconstitutional. Anyone familiar with the history of the Supreme Court in the United States will appreciate some of my reasons. Therefore my draft, unlike the others, contained the article :—

> Judges shall in adjudicating have the right to inquire into the validity of an executive decree ; but they shall not be competent to question the validity of a duly promulgated law.

That is, I agree with Switzerland against the United States. It follows logically that I was bound to give the Senate power to hold up legislation suspected of being contrary to the Constitution, until the people had a chance of voting upon it.

I have now indicated the main function that I attribute to a Senate. This, I repeat, presupposes the existence of a suitable rigid Constitution and the working of the Referendum —and also, I hope, of the Initiative, formulated and unformulated, as in Switzerland. The remaining function can be summed up in the word ' revision.' Though secondary, the revisory task is extremely important nowadays. Anyone familiar with the inner workings of the Dáil knows very well that about seventy-five per cent. of the Members have really no say at all in legislation ; their lot is to be categorised respectively into sheep and goats. Legislation emerges like Venus from the foam of the sea, but not always in such perfect guise. Laws, dealing with every possible activity and sphere of life, full of licensing-clauses, redolent of centralised bureaucracy, succeed one another in profusion ; one party

damns them, the other gives unstinted eulogy ; the machine clicks, and they go to the Senate. It is certainly desirable to have a body which will bring to bear on such legislation some consideration and examination less dominated by party loyalty than in the Dáil and based on greater capacity and experience of life. The practical question is, Can we get such a body ?

The first thing we have to avoid is a mere duplication of the Dáil. In order to mark this distinction I had an article declaring that " laws are passed either by the People or by the Dáil with the approval of the Senate." As to election I proposed :—

> The Senate shall consist of fifty persons of national eminence, achievement or capacity. They shall be chosen, with the advice of outside bodies if considered desirable, by the House of Representatives [Dáil] voting by proportional representation. Each Senator is chosen for a period of ten years, and one-tenth of the whole Senate retire every year.

On this I quote the footnote from my unpublished article for STUDIES (written in 1922) :—

> The annual election, by proportional voting, of a very small number (five) of Senators will help to secure persons of national merit and eminence. Election of Senators by direct popular vote is undesirable on the following grounds :—(1) It would tend to increase antagonism between the Senate and the House, each claiming to be the direct exponent of the people's will. (2) It would certainly exclude many desirable Senators—*e.g.* a bishop, a scholar, a businessman—who would not be prepared to face a popular election with its harassing accompaniments. (3) Except as specified under (2), a popular election consequent on nomination by the Dáil would be an unnecessary complication and a heavy expense ; it would not appreciably alter the result attainable by proportional election by the Dáil. (4) Election of Senators over all Ireland as one electoral area would simply increase the relative power of wealthy candidates and organised vested interests to suborn the Press and to finance a widespread campaign.

These arguments subsequently proved to be correct ; and the Constitution was amended in the direction of my original proposal. But even so, the system is not altogether satisfactory. Obviously the Senate is gradually becoming a replica

of the Dáil on party lines ; and also it cannot be said that all the party nominees are nationally outstanding figures. The partial failure must be attributed to (1) the original selection too heavily over-weighted with non-nationalist elements, (2) the unexpected exacerbation of party-divisions and the abnormal cycle of political life in which one party seems destined to dominate for each decennial period, (3) the abolition of the referendum without trial. Had the Senate accepted its primary responsibility to the People, had the referendum come into operation as a working feature of the Constitution, these defects would have been considerably lessened. The referendum, by isolating issues and by combining voters into different aggregates on different occasions, is a great dissolvent of excessive partisanship ; both political parties know this well and hence they are both opposed to the referendum.

However, let us try to envisage a different mode of election—*i.e.* by electoral colleges rather than by the Dáil. This was plainly hinted at in my reference to " outside bodies." My difficulty was that suitable bodies hardly existed then ; nor do they exist to-day. But I provided the following article in my Constitution :—

(1) In addition to territorial autonomy, legislation shall institute a measure of functional autonomy for the different branches of social service and economic life. In particular a Council of Education, a Council of Agriculture, a Council of Transport and a Council of Industry shall be established ; and in each of these Councils the relevant occupational groups shall be represented according to their social and economic importance. Legislation shall determine the advisory, supervisory and administrative capacity of such Councils.

(2) Drafts of important laws, involving social and economic policy, shall be submitted by the Executive Council to the Council to which they appertain, for consideration and criticism, before they are introduced into the House of Representatives [Dáil]. Bills may also be referred by the House of Representatives to a Council. The Councils have the right of proposing such Bills themselves. Should the Executive Council disapprove of them, it must nevertheless introduce them into the House of Representatives, with a statement of its own views.

Another article reads as follows :—

It shall be the aim of social legislation to promote the association of employees with employers in the management and control of industry,

to favour the diffusion of property, and to encourage co-operative ownership and organisation.

It is necessary to remark, in these days when the ' Corporate State ' is so popular (on paper), that the above was written and proposed by me in 1922. But we are just as far from any such organisation to-day. A Council of Education—so vitally necessary to protect parents and teachers, and ultimately religion itself, against increasing bureaucracy—was advocated several times by the Irish National Teachers' Organisation ; it has been rejected by the last Government and by the present. Our only chance of securing Functional Councils against the party-leaders and the civil servants is by means of the referendum ; but of this too Pat Murphy has been despoiled, with the connivance of the Senate.

I still believe in the importance of Functional Councils for the purpose of exerting that social control which is the only alternative to the present intolerable Commissarism, for the days of *laissez-faire* individualism are gone ; and also for the purpose of giving expert advice and criticism to a legislative body which badly needs it. However there would be little use in nominated or self-appointed Councils ; they are really the top storey of a guild structure. Some years ago I had visions of various Gilds for milling, woollens, boots, etc., etc. These ideas have undoubtedly received a serious set-back ; and we are now well on our way towards what in another generation will be a totalitarian State under the dictatorship of a political clique and a set of commissars miscalled civil servants. While this development strengthens the case for a Senate to defend our liberties, it seriously weakens the possibility either of Functional Councils or of a vocational Second Chamber.

We must not exaggerate the case for a vocational Senate. A Senate comprising one doctor, one lawyer, one professor, a few industrialists, farmers, shopkeepers, and workers, etc., is really not an expert body on any one subject ; to-day Dáil Eireann is probably just as diversified vocationally. To secure really practical and expert guidance in social legislation, we need, I am still convinced, the institution of Functional Councils, each competent in its own domain. The case for a vocational

Senate cannot be based on the assumption of diversified omniscience in fifty individuals however selected. It must be based on the fact that a Senate, chosen wholly or partly by occupationally grouped electoral bodies, will provide the maximum guarantee that it is not a mere duplicate of the Dáil.

But before briefly considering this argument I wish once more to recapitulate my point of view; for if we lose our perspective, there is a danger of getting lost in details. To-day in this country we have no Constitution in any intelligible meaning of the word; our Senate has been abolished, though at the last election we voted only for its reformation. We have a Single Chamber ruled by a majority party; that party, like its predecessor, being itself ruled by a small group surrounded by a phalanx of civil servants. If this is not the dictatorship of an oligarchy, I should like to know how it can be described. The oligarchs may be perfect and wise men; but to be bossed by an angel is still to be bossed. And what of their successors? The plain fact, obvious to any man not overcome by party bias, is that at present we have no guarantees whatever, no protection against the executive government. There is no Magna Charta, no declaration of national rights; the independence of the judiciary as well as our own liberties are absolutely at the mercy of a chance majority in the Dáil, which might even decide that there is no need for a re-election for the next ten years. This state of affairs is ultimately due to a profound distrust of the ordinary people. A few leaders want a free hand for some years, without any interference beyond the purring acquiescence of the party. *They* know what is good for Pat Murphy much better than he knows himself; to wit, a stiff dose of benevolent despotism.

That is the situation we are out to remedy. And first and foremost comes, not a Senate, but an organised insistence on the adoption of a Christian Constitution, protecting our natural and religious rights and embodying our social aspirations. We should not hand over to any elected body the power to ratify or to amend it. And in this Constitution the People should insist on retaining portion of the legislative power for them-

selves, by means of the Referendum and Initiative. Thus for the first time our fundamental rights and principles will not only be placed beyond the vagaries of political parties but will be positively within our own power as regards practical implementation. This, in my opinion, is the paramount issue, to which the question of a Senate is subordinate and secondary.

Nevertheless I believe that a Senate can perform most valuable functions :

(1) As guardian of the Constitution, it can prevent unconstitutional legislation, more effectively and less pedantically than the judiciary.

(2) As the appointed critical companion of the Dáil, it can remind that body of the derivative nature of its powers and refer it to the People when it appears to be exceeding its mandate.

(3) As a body, different in type of personnel and in background of life from the Dáil, it can revise and examine more carefully the legislative lucubrations of the Dáil.

It will therefore be observed that I have subordinated the problem of a Senate to the issue of Constitution and Referendum. And I put only in the third place that revisory function which many people seem to regard as the Senate's chief task. For reasons already stated, I do not think that a Senate, not unwieldy in numbers, can really act as an expert body in all, or even most, spheres of legislation. Really expert criticism and advice can be obtained only from an *ad hoc* Functional Council, itself based on relevant occupational Gilds. Hence, to my mind, the vocational character of a Senate must be argued solely on the ground that an election by vocational groups will give us the body best fitted to perform the three functions I have enumerated. There is a limited, but only a limited, amount of truth in the contention. If our society were largely constructed on a gild basis, *i.e.* if the necessary social control of economic activities were exercised by quasi-public corporations—which by no means deny the essentials of private enterprise—instead of by a centralised bureaucracy, then we should have achieved sufficient integra-

tion to establish a Second Chamber as representing the people in their capacity as producers, while the first House could be regarded as representing the citizens as consumers. But at present it is merely utopian to be planning for a state of society which is non-existent and which, if the political parties can manage it, will never exist.

The practical problem, as I see it, is to devise an elective method, capable of realisation in the immediate future, which will secure a Senate fitted to discharge the duties enumerated. The essential point, as I have already emphasised, is to find a Senate *different* from the Dáil, yet not so composed as to constitute a collection of fossilised persons opposed to all national or social progress. On the one hand we want competition, the element of distinctness between the two Houses ; for without that the ordinary people would have little chance. On the other hand we require a certain amount of sympathy with and understanding of popular aspirations. I cannot, in our present circumstances, see any simple cut-and-dried scheme for securing such a personnel. So I am once more driven back to the thoughts I had fourteen years ago. I can suggest only some such composite method as the following :—

(1) Portion of the members to be elected—a small number annually—by the Dáil, voting by proportional representation.

(2) Portion to be elected by such existing bodies as can fairly be taken to be occupational or representative groups. For instance : Trade Union Congress, Federation of Irish Industries, General Council of County Councils, Teachers (Primary, Secondary and University), Lawyers, Medical Practitioners, Engineers, Auditors.[1]

The current catch-cry that such a body would be 'undemocratic' leaves me stone cold. Democracy does not mean mob-rule, party tyranny or civil service bureaucracy ; into one of which categories the alleged democracy of most objectors can be placed. I have emphasised

[1] I wish I could add Farmers ; but I do not know to what organisation I could appeal

over and over again, in this article as elsewhere, that I want the People to have far more power than any existing political party is willing to concede. I have been a consistent supporter of the Referendum and Initiative, and I am more than ever convinced that these constitute the strongest safeguard for the religious and social ideals of the ordinary people. So much so, that I declined to argue for a Senate at all until I could put these claims in the forefront. But having made these claims, having argued that ultimate power should really (and not just on paper) reside in the People rather than in a Caucus or in an Assembly, I am then not merely free but bound to try to devise the functionally best Senate possible in existing circumstances. The political parties do not like my vocalisation of Pat Murphy who, according to them, hibernates between election-times. But I still have a hope that the unlettered—neither FF nor FG—and unlabelled people of this country may decide to think for themselves and to protect their sacred ideals and cherished interests, which now lie naked and exposed for any demagogic revolutionary to demolish.

APPENDIX

Amendment of the Constitution

Pursuant to my contention that the problem of a Second Chamber cannot be properly considered except in the light of a revised constitutional context, I take this opportunity of adding some observations on a rather important matter which is of very practical significance just now.

(1) Each of the three drafts submitted by the Constitution Committee ignored the Treaty, *i.e.* that document was unanimously interpreted as non-constitutional, as a measure to be implemented by ordinary legislation. My draft even contained the following article :—

> The declaration of war, the conclusion of peace, and all alliances and treaties with other States, must be validated by legislation. If any of the provisions of such a treaty involve an alteration in this

Constitution, a constitutional amendment must first be carried as prescribed in article 68. In no case shall any treaty be incorporated as part of the Constitution of the Irish Free State.

Notwithstanding this, the Dáil declared that " the said Constitution shall be construed with reference to the Articles of Agreement for a Treaty between Great Britain and Ireland set forth in the Second Schedule hereto annexed," so that any law or constitutional amendment repugnant to the Treaty was to be " absolutely void and inoperative." This is " No. 1 of 1922," the decision of the single-chamber Third Dáil Eireann sitting as a Constituent Assembly, which in that capacity has had no co-equal successor. I am strongly opposed to that decision, but I have to admit its validity.

(2) I have always maintained that there is an irreconcilable antithesis between the British legal theory and ours, between their interpretation of the so-called Treaty and our view of it. As I said in 1921 : " England and ourselves must agree to call the same things by different names. . . . We know what we have in Dublin ; we need not be too sensitive about what they call it in Holyhead."[1] More explicitly I wrote later :—

> The English have completely assimilated the setting up of the Free State to the establishment of a Dominion in a Colony. In December 1922 there was passed " An Act to provide for the Constitution of the Irish Free State." . . . Notice that the Constituent Act—which refers to Dáil Eireann and says ' all lawful authority comes from God to the people '—is not recognised at all ; it merely provides a preliminary context for the Constitution. Hence " The Constitution of the Irish Free State Act, 1922," *passed in Dublin*, is not acknowledged as valid. Our Constitution was passed at Westminster for us . . . by the same procedure as that of the Commonwealth of Australia Constitution Act of 1900 or the South Africa Act of 1909. Such is the English theory. . . . The contradiction remained and remains ; we take one view, the British take another. It is absolutely vital to our interests to see that they stick to that view and abide by its consequences.[2]

So far as I know, when this was written, every legal exponent of the Treaty, as well as every pro-Treaty leader, was against me ; they regarded that document as a bilateral

[1] *The Case for the Treaty*, 1922, p. 22.
[2] *Catholic Mind*, January 1932, p. 10.

international treaty, recognised as such by the British. But in 1935 the view which I had expounded was emphatically enunciated by the Judicial Committee of the Privy Council in the following verdict :—[1]

Their Lordships cannot accept these contentions [of Chief Justice Kennedy]. In their opinion the Constituent Act and the Constitution of the Irish Free State derived their validity from the Act of the Imperial Parliament, the Irish Free State Constitution Act, 1922. This Act established that the Constitution, subject to the provisions of the Constituent Act, should be the Constitution of the Irish Free State and should come into operation upon being proclaimed by His Majesty, as was done on the 6th December, 1922. The action of the House of Parliament was thereby ratified ; apart from such ratification that body had no authority to make a Constitution ; all the authority it originally possessed was derived from the Irish Free State (Agreement) Act, 1922, . . . [which] only gave the House of Parliament jurisdiction to make laws in respect of matters within the jurisdiction of the Provisional Government. . . . If it were not for section 2 of the Statute [of Westminster] the Oireachtas would have had no power to amend or repeal an Act of the Imperial Parliament. . . . Hence . . . Acts of the Oireachtas . . . which contain amendments of the Articles which are not within the terms of the Treaty, are only valid Acts of the Oireachtas in virtue of the Statute.

That is, in British law the so-called Treaty is merely the schedule to a British Act. And it is only on account of the Statute of Westminster (1931), which repealed the Colonial Laws Validity Act of 1865, that this Colony or Dominion can validly amend the British (Imperial) Act which many people call a " Treaty." *Britannia locuta est.*

Now no Party in Ireland acknowledges this view of ourselves as a Colony founded by the Mother Country ; it is not accepted by any Court in the Irish Free State. But the Judicial Committee says that the Irish Free State (Agreement) Act of 1922 " gave no power to ' the House of the Parliament ' to enact a Constitution for the Irish Free State " (p. 477). That is, we have no Constitution of our own ; we have never had a Constituent Assembly at all. In British law, Third Dáil Eireann never existed as a sovereign constituent body ;

[1]Robert Lyon Moore and others *v.* the Attorney-General of the Irish Free State, Wm. Goan and Others : *Irish Reports*, 1935, p. 485.

it merely made suggestions as to what should be inserted in the Schedule to a subsequent British Act. And in virtue of the Statute of Westminster—due in large measure to the late Kevin O'Higgins—our "Legislature can now pass Acts repugnant to an Imperial Act" (p. 486). This validates (in British law) the action of our present Government. But, except as a rejoinder *ad hominem* to English politicians and newspapers, this academic excursus of British Law Lords has no interest for us.

(3) What about our own municipal law? Let us see. Article 50 of the Constitution says :—

> Amendments of this Constitution within the terms of the Scheduled Treaty may be made by the Oireachtas. . . . Any such amendment may be made within the said period of eight years by way of ordinary legislation, and as such shall be subject to the provisions of Article 47.

As I already pointed out, the referendum (which could be called for by three-fifths of the Senate) provided in article 47 was abolished in 1928. And in 1929 there was passed "an Act to amend the Constitution by extending the period [from 8 to 16 years] within which Amendments of the Constitution may be made by the Oireachtas without submission thereof to a Referendum of the People." There is no doubt that, when article 50 was passed by the Constituent Assembly, it never contemplated that the strictly limited power of amendment, which it conferred on the ordinary Legislature, should itself be capable of indefinite extension and expansion by way of amendment. Witness Kevin O'Higgins's statement to the Assembly on 5th October, 1922 (col. 1237), in which he referred to minor changes which might be required in the first few years, for which the referendum "would be a cumbrous process . . . out of all proportion to the importance of the amendment we might wish to make" :—

> We are providing . . . that for five years [extended to *eight* on third reading] there can be changes by ordinary legislat on in the Constitution, and after that time the referendum will be necessary to secure a change. The only provision is that, while we are stating that amendments may be made by ordinary legislation, the provisions of Article [47] will apply ; which provisions enable a certain proportion of the Senate to call for a referendum.

But, owing to the loophole provided by the defective wording of the article, the Supreme Court [1] held in 1934, Chief Justice Kennedy dissenting, that it was *legal* for the Oireachtas to flout the intentions of the Constituent Assembly. The *moral* condemnation of this procedure was expressed by the Chief Justice (p. 217) :—

> The attempt to take from the people this right . . . and to confer on the Oireachtas a full and uncontrolled power to amend the Constitution without reference to the people—even though for a period of years, whether it be until 1938 or Tibb's Eve, a matter of indifference in the circumstances— . . . was done in my opinion without legal authority.

The intention of the Constituent Assembly was violated (1) by forthwith abolishing the Referendum for ordinary (and consequently for constitutional) legislation, (2) by abolishing the Constitution (*i.e.* assimilating it to ordinary legislation) for a further period of eight years. Partial repentance for concurrence in this usurpation was shown in the Senate in 1934, when an attempt was made to restore the Referendum of article 47 for *constitutional* amendments. Senator Douglas declared on 16th May, 1934 (col. 1163–66) :—

> At that time [1922] I was in favour of a referendum for all legislation. Since then I have changed my mind, and I think there are very strong arguments against the referendum for ordinary legislation. . . . The principal reason for introducing this Bill is to give this House an opportunity of making it clear that it stands for democratic government.

It is curious to observe that Kevin O'Higgins [2] regarded the Referendum as " particularly suited to this country," and he also strongly supported the Initiative, which " will still further associate the people with the forging of the laws of the country." It was abolished without ever being tried, not even on one solitary occasion. The excuse is now made that " strong arguments " exist against it, and that some people have changed *their* minds about the rights of the People. It is a pity that the Senate did not realise sooner in its history that it stood for " democratic government."

[1] The State (Ryan and Others) *v.* Lennon and Others : *Irish Reports*, 1935, pp. 183–248.

[2] *Dáil*, 5th October, 1922, col. 1210, 1213.

(4) We now come to a very serious point. The Constitution (Removal of Oath) Act, No. 6 of 1933, section 3, purported to amend article 50 by deleting the words " within the terms of the Scheduled Treaty." As regards English law, which refuses to recognise the Third Dáil as even an autonomous legislative assembly, there is of course no difficulty; that Dáil had no power whatever to pass a Constitution or to bind the Legislature which Westminster afterwards set up in Dublin. But in Irish law we have a Constitution promulgated by a unique single-chamber assembly and subsequently approved by the people. Now that Constituent Body expressly and clearly excepted from the jurisdiction of the Oireachtas any amendment of the Treaty. It follows that at least section 3 of Act No. 6 of 1933 is invalid in Irish law; and I have not the slightest doubt what would be the verdict of the Supreme Court if the matter were brought within its cognisance. This is a serious state of affairs. It is another argument in favour of a new Constituent Assembly to draft a proper Constitution.

(5) The Supreme Court case (State *v.* Lennon and Others) already cited concerned that amazing article 2A (the so-called Military Tribunal), which one Party passed and then denounced and which the other Party first repudiated and then adopted. I am now interested only in certain general pronouncements made in connection therewith. Chief Justice Kennedy, referring to the phrase that all lawful authority comes from God, concludes as follows (p. 204f):—

> From this it seems clear that if any legislation of the Oireachtas (including any purported amendment of the Constitution) were to offend against that acknowledged ultimate Source from which the legislative authority has come through the people to the Oireachtas—as for instance if it were repugnant to the Natural Law—such legislation would be necessarily unconstitutional and invalid, and it would be therefore absolutely null and void and inoperative.

With the spirit of this pronouncement I am in entire agreement. But I lay down two presuppositions: (1) We must enumerate, at least in a general way, the fundamental principles in the Constitution itself. (2) We must take away from the Oireachtas any power to amend or alter these, lest

political expediency or revolutionary fervour should tempt it to forget the People, not to mention God. In both respects the present Constitution is a lamentable failure. In one of the articles of my draft I spoke as follows :—

> The enumeration, in this Constitution, of personal, social, economic and religious rights and duties shall not be construed to deny or disparage other rights and duties. In so far as these enumerated rights do not merely express an ideal requiring to be elaborated, determined and applied by future legislation, they shall have immediate juridical effect from the date of enactment of this Constitution.

Whether my suppressed and rejected attempt was good or bad, I still think that it represents the constitutional ideal of the vast majority of our people. And I think, in view of the present confusion and danger, it is high time for us to organise public opinion to this effect in spite of the bungling and truculence of the various political parties. Nor am I in the least intimidated by the heavy sarcasms of Mr. Justice FitzGibbon, ventilated by him in connection with the case already quoted :—

> They assert [he says, p. 230] that there are certain rights, inherent in every individual, which are so sacred that no Legislature has authority to deprive him of them. It is useless to speculate on the origin of a doctrine which may be found in the writings of Rousseau, Thomas Paine, William Godwin and other philosophical writers.

We have here an ignorant travesty of the doctrine of natural rights, which reaches back to the New Testament, and even to the Stoics, and was elaborated by the Schoolmen, particularly in the *De Legibus* of Suarez, not to mention the Canon Law. To attribute this view, which still permeates the Common Law of England in spite of the later-fangled autocracy of parliament, to the nonsensical eighteenth-century fiction of a 'state of nature,' is merely exposing one's own sorry ignorance. When the same learned judge refers enthusiastically to "the Anglo-Saxon or American conception of constitutional liberty" (p. 233), he is unconsciously paying a tribute to those Catholic principles which have survived even the doctrine of Divine Right ushered in by the Reformation.[1]

[1] I may refer to some previous articles of mine in STUDIES: Suarez and Democracy (March, 1918); The Catholic Origin of Democracy (March, 1919); The Sources of English and American Democracy (June, 1919); The Democracy of St. Thomas (March, 1920).

So he is merely ponderously irrelevant and painfully inaccurate when he says (p. 233f): "I cannot presume that rights and privileges which the inhabitants of England have always enjoyed . . . are also indigenous to the citizens of this Gaelic and Catholic State." Now it is true that we, like medieval England, are the inheritors of the great Catholic democratic and corporative tradition; it is also true that we could draw inspiration from Gaelic Law, uncorrupted by the imperialist absolutism of Rome. But it must be confessed, in face of the jibes of this hostile judge, that at the moment we are without any Constitution embodying these ideals and principles. The eminent lawyer, however, is not a very trustworthy adviser as regards providing a remedy. "The Republic of Mexico," he says (p. 234), "has provided in its Constitution a unique and remarkable safeguard for affording immediate redress." Whatever defects we may have, however ill-advised be some of our constitutional provisions and amendments—ultimately attributable to the ingerence of England in our affairs—we have not yet reached the atheistic and communistic level of Mexico, whose *paper* Constitution is so lauded by this representative of a minority which has never yet been persecuted by our Catholic people. The remedy is to produce a Constitution, based on Catholic principles of natural right and social justice, and then to protect it against the inroads of politicians.[1]

ALFRED O'RAHILLY

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[1] The quotation from my proposed article as given on p. 3 is not very clear without its context. The preceding sentence is: "In case the Senate amends or rejects the Bill, it shall be brought before the House for further consideration. Should the House and Senate not arrive at an agreement within three months, being time of Session, the Bill if it appropriates revenue or imposes taxation, shall become law as finally passed by the House, save as provided in the preceding article." In connection with the quotation (p. 3 above), President de Valera said (Senate, 1st June, 1934, col. 1525): "I did, as a matter of fact, make the mistake of reading *operative* for *inoperative*; and the reason for my mistake was that I did not expect that those who had signed that report were likely to be more conservative in regard to the Seanad than the others." That is, he has not yet grasped the difference between his political philosophy and mine; while his is centred in the Executive (plus Dáil), mine is based on the People. For him a Senate is just a "check as far as mere revision is concerned," for me it is primarily the People's watchdog against the Executive Council.

PROPOSALS FOR A NEW SENATE

BY PROFESSOR DANIEL A. BINCHY, M.A., PH.D.

IT is not the purpose of the present article to trace in detail the history of the Senate that is now *in articulo mortis*. I come to bury Caesar, not to praise him ; and in any event we are too close to the final chapter to apportion the correct meed of praise or blame. But I may be permitted a passing regret at the demise of an institution of which I and many like me once had such high hopes. Like so many other things in Ireland, the Senate began well and ended badly.

I do not think we shall ever again see in the Ireland of our time so remarkable a body as the first Senate. Born amid the din of the Civil War, holding its first meetings while the guns were still booming, it nevertheless seemed to me to contain the nucleus of a better and greater Ireland. Unionists, Constitutional Nationalists, and Revolutionaries ; poets, publicans, peers and peasants—representatives of every feature of Irish life testified by their presence in its counsels that, no matter how they had differed in the past, their first love and their first service were pledged to the land that bore them. Men and women of Anglo-Irish stock, names which had hitherto stood for ' ascendancy ' and aloofness, now for the first time threw in their lot with the Irish nation—and were rewarded by the burning of their homes by people calling themselves Irish Nationalists. Yet there was no hint of bitterness in the Senate's debates, but rather a generous desire to end the fratricidal conflict between Irishmen. There were no rigid political alignments, and the differences of opinion between members (some of them very far-reaching) were discussed with a dignity and courtesy that many more ancient assemblies might have envied. Above all, it seemed that the Senate, by reason of its composition and its freedom from party strife, would stand guard over Ireland's unity, temporarily shattered by the

extremists North and South. Indeed, despite the prevailing disillusionment and cynicism, I was rash enough to hope that the example of the Senate might bring to fruition even in our time the ideals so nobly voiced by Davis :—

> What matter that at different shrines
> We pray unto our God ?
> What matter that at different times
> Our fathers won the sod ?
>
> In fortune and in name we're bound
> By stronger links than steel ;
> And neither can be safe nor sound
> But in the other's weal

It was not to be. The story of the Senate's decline is quickly told. The framers of our Constitution had provided in their wisdom for the renewal of the Senate on a nation-wide franchise. After the first verdict of this novel constituency had proved a fiasco (as anyone with a glimmering of political sense could have foreseen), Mr. Cosgrave's Government was faced with the problem of remodelling the method of election. Now was their chance to devise a scheme for a Senate partly nominated (like the first), partly elected, but elected neither on a geographical nor on an arithmetical basis. Inevitably, perhaps, they chose the line of least resistance. The Seventh and Tenth Amendments of the Constitution (implemented by the Seanad Electoral Act, 1928), by providing for joint election by the Dáil and Senate, shattered all hope of a really independent Second Chamber. Henceforth panels were framed on strictly party lines, and the Senate came to be used more and more as a back-door entrance into public life for those party stalwarts who had failed at the polls. Its intelligence, its temper and its manners alike deteriorated : it became in fact a slightly superior replica of the Dáil.

And so we reach the end of the story. Mr. de Valera and his party, having sulked in their tents during the first Senate elections, got a late start in the scramble for seats. Thus when the Fianna Fáil party took office it was faced by a hostile majority in the Senate. Whether that body deserved the fate

that has overtaken it, whether it unfairly hampered the Executive, whether it would have been abolished if the Government party had only entered the Dáil in time for the first elections—these are questions which need not detain us here. *Non nostrum tantas componere lites.* In any event their solution is of no importance except to those investigating the immediate cause of death. The disease was of longer standing : once the Senate lost its original character and became just a second Dáil, it forfeited the right to survive in its present form.

In one of his speeches in favour of the measure to abolish the Senate, Mr. de Valera (apparently forgetting for the moment the brief from which he was speaking) stated that personally he had a ' hankering ' after some kind of Second Chamber, but that no proposals had been submitted which could be regarded as workable. If this represents his real attitude towards the problem, it is an attitude with which I have much sympathy. It is easy to justify the bicameral system in the abstract—the pitiably weak attempts to discredit it in some of the Presidential speeches are the best proof of that ; but it is very difficult to suggest a scheme for a Second Chamber that will function both efficiently and smoothly. In the following pages I submit tentative proposals for a new Free State Senate, proposals that are put forward in no party spirit but in the honest belief that they can be accepted by every Irishman who puts country before party.

The fate of the previous Senate teaches one important lesson in regard to the composition of its eventual successor : the latter must be as different from the Dáil as possible. Any Senate which tends to become a second (even though improved) edition of the Dáil will not endure. Accordingly, all methods of direct election, even by different geographical areas, and of indirect election by existing political bodies (such as the Dáil itself) must be ruled out. It is true that in a large Federation, such as the United States or the Commonwealth of Australia, the Senate fulfils an important regional function as representative of the interests of the individual States. But in a small and highly centralised country like ours there is room for only one body, the Dáil, to represent what Professor Lavergne aptly

calls ' geographical democracy,' and nothing but friction would be caused by another Chamber making a similar claim.

On what basis, then, should we erect the new Senate ? Many have already answered : on the basis of vocational representation. This is also my answer, with some reservations and one vital distinction. I would dissociate vocational representation completely from the so-called ' Corporative State.' Many people confuse the two things, and are even inclined to regard Mussolini as the father of vocationalism, having first heard of it when that astute tactician (who, incidentally, had begun by denouncing it in unmeasured terms) seized on it as a valuable weapon in his campaign for the destruction of Parliamentary Democracy. Ever since it has been degraded to serve as a parrot cry for embryo Mussolinis in other countries. But in reality vocational representation has a much longer and more respectable pedigree. Its main principles can be found in the works of Aristotle and the mediaeval Schoolmen, and an imposing array of political thinkers down through the ages have advocated it, some as an alternative, others as a supplement to geographical democracy.

Our time has witnessed various attempts to realise it in practice. I have read much about purely Corporative Parliaments in Italy, Portugal, and Austria, but I have remained quite unconverted. I fail to see how the system can work without a dictatorship or quasi-dictatorship to prop it up. A ' self-governing ' Corporative State has not yet appeared. Now, despite all the follies and exaggerations of modern ' arithmetical ' democracy based on the egregious fallacy that the most important and complicated public affairs can best be decided by counting heads, I am not prepared to barter the precious heritage of individual freedom and dignity for even the most efficient administration in which men and women are reduced to the level of cyphers. I can only envisage vocational representation, therefore, within the framework of Parliamentary Government. Here again we have examples. But the two most celebrated Vocational Councils in democratic states, the *Reichswirtschaftsrat* in pre-Hitler Germany and the *Conseil National Economique* in France, have had purely

'consultative' functions. Acting in an advisory capacity to their respective Governments and Parliaments, they have accomplished very useful work. But their value would have been far greater had they been more intimately incorporated in the machinery of the State.

Why not try to realise a synthesis of popular and vocational representation in this country? My suggestion is that side by side with the Dáil, the outcome of direct popular election, we should have a Senate based mainly, though not exclusively, on vocational representation. The idea is not original: well-known political writers in France and Germany have already urged its adoption in their own countries. In their eyes, as in mine, the great value of such a system is that, while preserving the essentials of democracy, it would also correct the vagaries of adult suffrage, and thus prevent the masses from destroying their own freedom at the bidding of unscrupulous demagogues. To those doctrinaire Democrats, with whom adult suffrage is the sole article of faith, I would only reply that Italy was the first country in Europe to introduce it, and that Hitler hoisted himself to power on the shoulders of the masses.

Many of the works to which I have referred contain imposing schemes for the constitution of electoral colleges on strictly corporative lines, the whole population being divided for this purpose into a few large corporations, which are in turn sub-divided into sections. My programme is far more modest. Quite apart from the value or danger of these nation-wide corporations, we cannot afford to make such drastic experiments at the present time. Accordingly I propose to work almost entirely on existing vocational and professional organisations. They at least have the merit of being natural growths, with a sense of solidarity between the members which an *ad hoc* body could hardly ever acquire. No doubt, some of them could be made more representative of the interests for which they stand, but the remedy lies exclusively with those interests themselves. Taking them as we find them, they can be made the electoral framework of a Senate that would represent the chief sectional interests in our national life.

Before enumerating these interests and their representation,

et me say how I envisage the method of election. The rinciple of direct election receives due recognition in the omposition of the Dáil, which remains (as will be seen resently) the predominant partner. For the Senate indirect lection should be the rule, not indeed by the cumbrous rocess of 'electing electors,' but simply by vesting the ominations in the executive committee or council of each ocational institution to which representation may be given. his executive body is itself usually elected by the members of he association, and being small in number it is less likely to e swayed by extraneous political considerations than the rank nd file. Further, it is as a rule composed of men or women ho are familiar with the interests of the organisation, and ay therefore be trusted to select representatives of a similar ind. Above all its electoral functions would be exercised oiselessly—no small advantage in Ireland.

I begin with professional representation as presenting the east difficulty. Here the electoral colleges are ready to hand, he professions being well provided with organisations for the efence of their interests. The Irish Medical Council could lect two members, the Bar Council, the Committee of the ncorporated Law Society, the Council of the Institute of ngineers, the Council of the Royal Institute of Architects one ach. That educational interests should be liberally repre-ented hardly admits of controversy. One member elected by he Academic Council of each of the Constituent Colleges of the ational University and by the Board of Trinity College would ecure to the Universities that voice in our public affairs of hich the present Government—for party reasons that are but hinly veiled under a shabby cloak of principle—has deprived hem in the Dáil. The importance of primary education should e recognised by allotting the selection of at least three nembers to the Executive Committee of the Irish National eachers' Organisation. It is more difficult to find an electoral ollege sufficiently representative of secondary education, but n *ad hoc* body might be formed by delegates from the various ssociations.

For the representation of industry and commerce there is

an embarrassingly large choice of possible electoral colleges. In principle, however, I would rule out all sectional associations of manufacturers and traders, for their nominees would almost certainly receive a rigid and narrow mandate. The most suitable body to elect representatives of industrial life would seem to be the Council of the Free State Chamber of Commerce, which I understand is a federation of the local Chambers, and which could be trusted to hold the balance evenly between the manufacturing and trading wings of industry in making its nominations. In addition the Standing Committee of the Irish Banks should be given the selection of two members.

At this stage I must antagonise the disciples of the Corporative State and even the Vocationalists *strictioris observantiae* by proposing separate and independent representation for Labour. I am not in the least impressed by the elaborate ' vertical ' corporations, to include employers and workers alike, which are provided for in many vocationalist schemes. As for the claim that such a system will obliterate the clash of interests between *Arbeitgeber* and *Arbeitnehmer*, one cannot obliterate a fact by merely ignoring it. But apart from these larger problems, I am dealing with the situation as I find it in Ireland, where collective bargaining and free Trade Unions still exist. In the circumstances, organised Labour should be represented—and I need hardly say amply represented—as a separate section of the community. Its members should be chosen, not by the individual unions, but by a body whose composition entitles it to speak for organised Labour as a whole—the Council of the Trade Union Congress.

The real difficulty, however, is agriculture, which I still regard as the basis of our national economy—despite official assurances that *nous avons changé tout cela*. How secure adequate representation for the farmers, large and small ? They are at once the most numerical and powerful body of the community, and the least organised. And even the few unrepresentative organisations which exist are too busily engaged in denouncing the Government or the Opposition to have any time for mere farmers' interests. There is one shining exception, that admirable body the I.A.O.S., the

Committee of which should be given the election of two members. For the rest, one can only fall back on the Committees of Agriculture which, under the Act (No. 8) of 1931, are nominated by the County Council in each county of the Free State. The Committees of each Province could form an *ad hoc* electoral college for the election of a number of senators roughly proportionate to the agricultural population of their respective areas. This suggestion is advanced merely as a *pis aller*, for the method of appointing the Committees (nomination by bodies which themselves are largely elected on political tickets) does not encourage the hope that they will be guided entirely by the interests of agriculture in making their selections. Yet, given existing conditions, I doubt if a better alternative can be found.

It will be noted that the foregoing electoral list omits many important sections of the national life. Yet some of these sections are organised in nation-wide societies. It may be asked : why not make the governing bodies of such societies electoral colleges ? To take an obvious example, the Gaelic movement is entitled to representation on account of its great numerical and moral strength. Why not give the Coisde Gnótha of the Gaelic League the nomination of those members who are to represent the Gaelic movement ? It would undoubtedly be the simplest solution, but it is open to grave objection. If the election of members of the Senate is placed in the hands of non-vocational bodies, membership of which is open to all and sundry, there is the danger that every such body will eventually be overwhelmed with members who are only concerned with its electoral functions rather than with the primary purposes for which it has been established. On the whole it seems more advisable to cater for the interests of all non-vocational organisations by direct nomination, of which I shall speak presently.

At this stage I raise with considerable diffidence the question of the representation of the Catholic Church, beyond all doubt the greatest force in Ireland, as well as that of the other religious denominations. From the State's point of view representation could be quite simply arranged. The Standing Committee of

the Catholic Hierarchy could elect five members, the National Synod and the General Assembly one each. Or if *ex-officio* membership be preferred, seats could be allotted to the four Archbishops, to the President of Maynooth College, to the Protestant Archbishop of Dublin, and to the Moderator of the General Assembly. The real difficulty lies in the natural reluctance of our spiritual leaders to step down into the dusty arena of Irish politics. But it may be urged that the great value of a Second Chamber such as is proposed here would be its comparative freedom from the hate-ridden politics of Dáil Eireann. Its standing and dignity would be immeasurably increased, its detachment from the party spirit most clearly emphasised if the Churches would agree to send representatives to its councils. Their presence would do more than anything else to reform the un-Christian atmosphere of party politics.

Under the proposed scheme nearly three-quarters of a Senate of (say) sixty members would be elected on a vocational basis. Of the remaining members a few might well be *ex-officio*, holders of important and responsible offices, such as the Lord Mayors of Dublin and Cork and the Chairman of the General Council of County Councils. But the bulk of them should be directly nominated by the President of the Executive Council. Mr. Frank MacDermot has recently proposed the constitution of a Senate entirely nominated by the President. While I cannot feel enthusiastic about this proposal—the Canadian Senate is not an encouraging example—I realise that a certain amount of nomination is both necessary and desirable. I also agree with Mr. MacDermot that the best results would be achieved by making the President individually responsible for the nominations. No doubt, the temptation to appoint old party camp-followers will always be strong, and may sometimes be yielded to ; but I feel that in general the President who is given complete individual freedom and an unlimited field of choice will make his appointments as head of the Executive and trustee for the nation at large rather than as leader of a party caucus. It would indeed be foolish to expect him to ignore political considerations, but at the very least his political nominees will represent a higher type of

politician than the choice of the average county convention. Further, it should be a charge on the President that some of his nominations be made for the purpose of securing representation for certain interests—economic, social and cultural—which cannot well be provided for by the method of election, either because they are not organised at all or because their organisations are too nebulous, too haphazard, or too unrepresentative to constitute a genuine electoral college. A few examples will suffice : the Gaelic movement, athletics and sport, horse-breeding, temperance, tourist-traffic, literature and art. Many of the nominated representatives would not be party politicians in a narrow sense : indeed any President who made his selections wisely and generously would have the satisfaction of seeing his successor compelled to renominate most of them on the termination of their period of office.

This brings me to my next point, the duration of the senators' mandates. Most Constitutions provide for the so-called *renouvellement partiel* in connection with the Second Chamber. The latter is never dissolved as a whole, but a certain proportion of its members vacate their seats at stated intervals. The system has proved so valuable in preserving a certain continuity in public life that many theorists have advocated its application to the other Chamber also. One of the obvious advantages of a Senate constituted on vocational lines is the ease and smoothness with which it may be renewed. The general rule should be : the duration of each senator's mandate shall be the same as that of his electoral college. Thus the nominee of the Incorporated Law Society would automatically vacate his seat when the executive committee which nominated him goes out of office. Similarly the nominees of the President would retire on the dissolution of the Dáil or on the formation of a new Government without a dissolution. The proposed arrangement would combine the constant renewal of the Second Chamber with the minimum of sound and fury. But it would have a still greater advantage. A senator who had proved his worth would be very probably renominated time and again by successive electoral colleges, and thus the Senate would be enriched by the continued

presence of men of tried competence and long experience. Even certain of the Presidential nominees, as I have said, if wisely chosen might well look forward to continuous renomination.

There remains the all-important question: given such a Senate, with what powers shall it be invested? Here it is necessary to reconcile two principles that seem at first sight to be contradictory. The first is that unless a Second Chamber is to have real powers, there is no point in setting it up at all: a purely advisory body would be a superfluous luxury. The second is that the powers entrusted to the Senate should not conflict with the essential primacy of the Dáil. I believe we can arrive at a working synthesis between these two propositions by fixing the competence of the Senate according to the following rules:—

(1) If a Bill passed by Dáil Eireann is rejected by a simple majority of the Senate, its application shall be suspended for six months, after which by resolution of a simple majority of the Dáil it shall be deemed to have passed both Houses.

(2) If the Bill is rejected by a majority of three-fifths of the entire Senate, it shall be completely killed, subject to the following proviso: that at any time after the expiration of six months from the date of such rejection, the Bill may be reintroduced in the Dáil, and if it secures a majority of three-fifths of the House on the final reading, it shall become law over the head of the Senate.[1]

The first article, under which the Senate would merely exercise the functions appropriate to a 'cooling chamber,' will hardly be criticised, for no Government would be seriously embarrassed by such a brief period of delay. The second provision seems at first sight to invest the Senate with very formidable powers, but it is so hedged in with safeguards as to make the exercise of these powers possible only on rare and momentous occasions; for a three-fifths majority of a body which by its composition

[1] In regard to money-bills it might be deemed advisable to maintain the existing practice, which gives the Dáil exclusive control, although personally I see no reason why the Senate should not be given at least a suspensive veto.

would be largely independent of party ties would normally be difficult to secure. And even should it be secured, the primacy of the popular Chamber would be preserved, for a similar majority in the Dáil could override the Senate's veto, and thus the danger of a clash between large majorities in both Houses (the real crux of bicameral legislatures) would be avoided.

Such in very brief outline is the scheme. Let me add a word to its critics. They may, I conjecture, be divided into three classes: those who disapprove of Second Chambers in principle; those who approve of them but reject vocational representation as their basis; and those who, while accepting the latter, dislike some of the details of the present proposal. With the first class I am not prepared to argue: the gulf between us is unbridgeable. The third class may be contented by the assurance that this is but a tentative draft: they are welcome, therefore, to propose any amendments that would 'remould it nearer to the heart's desire.' There remain those who disapprove of vocational representation as a method of constituting a Second Chamber, and I conclude with a brief examination of their principal criticisms.

They will say that this method of representation will result in a Senate where sectional interests will override considerations of the public welfare. There might be some force in this criticism applied to a full-blooded Corporative Parliament where the electoral bodies consist of a few 'vertical' corporations of great numerical and economic strength. But the present scheme avoids this danger by seeking to spread the representation over as many electoral colleges as possible and by providing for a number of Presidential nominees. How can one fear a sectional 'combine' among the representatives of widely divergent associations and interests? On the contrary, I believe that the average senator, while keeping a close eye on the interests which he represents, would take a larger and more objective view of general politics than the professional party politician. In any event, would division on the lines of sectional interests be more reprehensible than division on the lines of political hatred?

A more serious criticism is that the scheme would do a grave

disservice to the existing vocational organisations which would form electoral colleges : election to their executive committees would become a scramble between political factions rather than an endeavour to advance their professional interests. One cannot deny that in a politics-ridden country like ours this constitutes a very real danger. But we must beware of exaggeration. Organisations based on occupational solidarity —many of them of long standing and high traditions—will be less likely to succumb to irrelevant political catch-cries than purely haphazard groupings. Of all bodies in the country they are best fitted to resist the menace of the party ticket.

Lastly the scheme will be dubbed ' reactionary '—a blessed word to impress the ignorant and the envious. It will be accused of providing undue representation for wealth, education, and intelligence ; of conferring on " privileged classes " the power to thwart the will of the " plain people "—in other words, the active members of the party caucuses. I gladly admit that the scheme would introduce to public life representatives very different from those selected by " large and enthusiastic " county conventions, rigged and regimented by party bosses. Would public life suffer thereby ?

There is one argument in favour of the scheme which seems to me to outweigh these and other criticisms. It would produce a Senate, the members of which (or most of them) would be free from the rigid party ties of professional politicians. In the course of time their example would mitigate and perhaps eventually dispel the squalid rancours of our public life. Any institution which can contribute to the work of appeasement will have deserved well of the Irish people. For who will deny that this is the supreme task of to-day, transcending all differences about Free State or Republic, unicameral or bicameral legislatures ? Our continued existence as a nation, as distinct from a rabble, depends on exorcising the spirit of hatred which is poisoning the very sources of national life. If public affairs, in the future as hitherto, can only be conducted at the expense of dignity, decency, and charity, then assuredly we have bought this freedom with too great a price.

D. A. Binchy

THE VIRTUE OF PATRIOTISM

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THE Rev. Père J. V. Ducattillon, O.P., in a series of conferences given in 1932 on the subject of patriotism, said that the problem of what our country and patriotism means is one aspect of the more general problem of man. " At the root of all our ideas of country and of patriotism we shall find a certain idea of man : of his nature, his origin, and his destiny ; an idea of the human person " (*Le vrai et le faux Patriotisme*, p. 115). Therefore, the various definitions of patriotism which we hear, the understanding and misunderstanding of the virtue and of the duties which the virtue imposes, grow out of prejudices or prejudgments about human beings. We cannot discuss patriotism on its own merits, as it were, without discussing the merits or demerits of the presumptions included in the concept.

Moreover, the concept is not only conditioned by prejudices ; it is complex in itself, containing many elements distinct from each other, each of which must be detected by analysis. To add to the difficulty, the word itself excites the memory of past wars and sufferings, of victory and disaster, of heroes and heroines long since dead but existing still, gloriously transformed, in the flattering imaginations of devotees. In fact some people, otherwise reasonable enough, pay such passionate homage to patriotism that they claim it should not be criticised, but simply accepted as something divine. Passion, of course, is its own postulate, its own warranty ; but if we make it an ultimate criterion we raise it above reason, which is hardly reasonable—and quite futile, because the human intellect will exercise its prerogative of criticism, seeing that it does not shrink from inquiring into the nature and attributes of Infinite Being itself.

Then, too, the word " patriotism " has been used so often to disguise selfishness that it awakens unpleasant associations.

In his " Essay on Horace Walpole " Macaulay says that " the name of patriot had become (*circa* 1744) a bye-word of derision. Horace Walpole scarcely exaggerated when he said that . . . the most popular declaration which a candidate could make on the hustings was that he had never been and never would be a patriot." And we all know Johnson's famous definition : " Patriotism is the last refuge of a scoundrel."

Nowadays, too, what passes for patriotism is often nothing else than a truculent Nationalism which excites whole nations to fight fiercely for economic and political supremacy over other nations on the assumption that one's own nation is superior to all others racially or is marked out as the leader by past history and achievement. Patriotism thus becomes synonymous with arrogance, and the patriot with a bully, causing disturbance and giving offence whenever he acts characteristically.

In Ireland, though there is no desire to control the lives and liberties of other nations, the word " patriotism " is not much in favour, for other reasons. In regard to our country certain fundamental claims to full sovereignty within our natural boundaries have not yet been established or conceded ; and it is often difficult for those who love the country sincerely and wish to prosper its best interests to decide whether they will press these claims even to the point of severe hardship or attend rather to the immediate economic and social needs of their people and leave the question of sovereignty in abeyance for the future to solve. When, therefore, persons on one side or the other of this controversy assume for themselves the name of patriot, their opponents resent the confiscation and begin to belittle the term itself.

The term, then, is ambiguous ; it has often been discredited : and the virtue has been much misunderstood. And, anyhow, it is difficult to discuss the question of patriotism objectively on account of the hot passion which the word excites. Nevertheless, it is important to find a place for it among the virtues, because love of country is natural and necessary among civilised peoples—and so strong that it will find an outlet. Like all elemental passions love of country is a spring of action ; and if it is not controlled by reason, it will run to vice.

At the moment it is not only important to know what patriotism means: it is necessary to know it. The men of our time have a vivid memory of war on a larger scale than ever before in the history of the world. They have seen over ten million persons belonging to all nations slaughtering each other; countries laid waste; wealth squandered; finance, commerce, government disorganised: and all this happening among peoples reputed to be heirs of a Christian tradition and highly civilised. And now the whole world sees itself drifting into war again, and it is terrified at the prospect. In the name of patriotism the leaders in almost every European country have lost faith in conferences and are preparing feverishly for war on the plea that their countries are being wantonly attacked or being denied their just claims. This state of affairs has caused bitter division not only among nations but within the nations themselves. Some say that patriotism was responsible for the last war; that it is leading us headlong into another; that it is, in itself, a vice; that the seed-bed of it should be destroyed by substituting an international polity for the absurd conglomeration of separate states. The only way, they say, of ensuring peace is by establishing Communistic Republics throughout the world; and to do this it is necessary to shut out every consideration except the economic interest of society as a whole, for only thus shall we succeed in putting into practice the ideal of the Universal Brotherhood of Man. Others say that wars happened before and they will inevitably happen again; that peace is a dream, war the history of mankind; that there are other interests needing attention than the economic interest; that it is undesirable and impossible to fuse East and West, Japanese and French, simply by ignoring their different cultures; that charity begins at home, and that we should be brothers in the first place to those who are near us, who depend more closely upon us. Taking men as they are and as, to all appearance, they ever will be, the only sane policy is to organise politically those who are closely allied to each other by race and tradition, to educate them carefully to patriotism, and to provide them with the means of furthering and defending the interests of the nation.

We may well suspect that neither party to this dispute has all the right on its side; that the claims of Universal Brotherhood are strong; that the world would be poorer without patriotism, and not only poorer but entirely different; that there should be unity among men, but a unity in diversity. Communism might, if it were possible, give unity but only by destroying differences which ought to be preserved. Patriotism, as some of its votaries explain it, fosters diversity without any attempt to bring the parts together into an ordered whole. The truth, we may well think, lies somewhere between the two extremes.

Patriotism or the love of country has for its object a particular society occupying a definite piece of territory, whose members are so closely united with each other by common descent, language and history, that they form a distinct group; and this group is either autonomous or wishes to be autonomous. The term "country," therefore, includes a racial element, a psychological element, a political element and a geographical element. It signifies a human society originating in certain natural facts and perfected by certain attributes—an extensive aggregate of persons which has ceased to be a mere aggregate and has become a collective reality. This collective reality is not a physical but a moral thing: it is not a person but a corporation whose members are persons.

It is something more than the sum of individuals who compose it, because it has rights and powers which individuals singly could neither claim nor exercise, nor all the individuals taken together unless they are unified so as to constitute a new thing—what Mr. Belloc often calls "The Public Thing."

Just because it is necessary for men to live in society in order to preserve the race, to develop their own powers and the economic resources of the world, to fill out their individual insufficiency and to satisfy their needs, it is natural for them to marry, to form themselves into nations and states, and to set up certain subsidiary associations. In fact, since families by themselves, and sports clubs by themselves cannot provide to their members the means of full security and development possible to human beings by further organisation, men are

forced to constitute a higher group which enjoys a complete juridic personality. This group, in which a variety of individuals are unified into a community and organised for security and progress, is called the Nation.

Our love for such a group into which we have been born, in which we have grown up, is natural, for it springs from sharing experience with our natural familiars : we look on the same countryside as they, speak the same language, claim the same ancestors, profess the same religion, guard the same social and historical tradition. The love of country springs spontaneously out of common joys and sorrows, common hopes, fears and aspirations. Pope Leo XIII speaks, therefore, in his Encyclical *Sapientiae Christianae* of " the natural love of our country which proceeds from God " and declares that " the natural law commands us to love devotedly and defend the country in which we had birth and in which we were brought up." Later the Pope said in the Encyclical *Libertas Praestantissimum* that " the church approves of everyone devoting his services to the common good and doing all he can for the defence, preservation and prosperity of his country."

Therefore, we cannot destroy this love of country, nor should we try to fashion an international polity which makes patriotism impossible, pretending that patriotism either does not exist or that it never can be a virtue. We must love some persons more than others, for love is creative, the more selective the more creative. No doubt it is a dangerous passion ; but that only means that it must be controlled. There is always danger when feeling is strong ; but when feeling is absent there is death.

Patriotism, then, if it means the particular love for the autonomous group to which we belong, a love which prompts us to give homage and service to it and its interests, does not contain anything that is vicious. In fact, if this homage and service are kept within reasonable limits, patriotism becomes an operative habit of doing what is good : and that is the definition of virtue. This virtue, in itself natural, may be raised to supernatural excellence by God's grace. It may even attain to heroic sanctity, as in Joan of Arc. For if one may

serve a section of the community, the poor or the sick, for the motive of supernatural charity, why may not one serve the whole community just as heroically for the same motive ?

Catholic theologians, having defined patriotism as a habit of doing good to the community to which we are bound by facts both natural and legitimate, discuss the nature of the virtue and place it in its proper relation to other virtues. They say that it is one manifestation of *pietas*, and therefore of justice, of which *pietas* itself is a part. For the virtue of *pietas* makes us prompt to give to others what is due to them because of special benefits derived by us from them when we cannot repay these benefits exactly and in kind. Thus Religious Piety urges us to repay God by absolute service for what we are and have, absolute because we should not be at all unless God gave us being and conserved it. Obviously we cannot set up an exact equilibrium between God and us by giving that thing—the *jus*—which would redress the balance, because we cannot create God. Nevertheless we owe all we have to God on the strongest possible title ; and the virtue which prompts us to give back all because we have received all, is called Religious Piety. Clearly it is paramount among the Pieties. Neither family nor patriotic Piety can overrule it in any circumstances whatever.

Similarly, since we depend upon our parents in origin, maintenance and education, we owe them something in return : not, indeed, exactly what they have given us, which would be impossible, but love and service. The particular kind of debt, determined by the special motive of peculiar blessings received, specifies filial piety and distinguishes it from Religious Piety. Moreover, we owe much to our country, for we share its culture, its organisation, its history ; we have a part in the wide social and political advantages it has given us, by the aid of which we have developed our powers and enjoyed a portion of the wealth which only the community by common effort could have produced. We depend vitally upon our country for what we are in the concrete. We, therefore, are virtuously patriotic when we habitually repay our country by loyalty and devoted service for the benefits it has conferred on us.

Mgr. Ruch, writing on this subject in the *Dictionnaire de Théologie*, says that St. Thomas calls patriotism a form of piety not once only in a passing way but often and as a technical term to mark off the duties of men towards their country and the grounds of it. " The word," Mgr. Ruch continues, " is, in fact, well chosen. Among all the relations with the persons with whom we come in contact, our dependence on our parents and on our country imply, in the first place, ' a communication of being.' This dependence, moreover, reminds us most forcibly of the creative action of God drawing something out of nothing, thus reflecting and revealing, better than anything else, the Divine. It is right, therefore, to choose a special word drawn from the language of religion when we wish to define our duty towards our parents and our country ; it is only proper that the virtue motivated by services most like the blessings of God should be designated by a term which approximates in meaning to the term we use to define our duties towards the Supreme Being. . . . This word has the advantage of maintaining a Christian tradition to which the wisdom of the ancients was a prelude. Furthermore, the term ' piety ' expresses, of itself, the various duties of patriotism, explains its characteristic obligation and its holiness, demonstrates the religious source of the virtue and its connection with the worship due to God, and condemns every attempt to make an idol of the country by placing it above God."

On account of the close resemblance of the country to the family the theologians discuss the nature and duties of patriotism under the Fourth Commandment. In their eyes, the country is as natural a society as the family, though not so necessary—or, rather, not necessary in the same way and for the same purpose. The family, they argue, is more original than the country, playing a role in the life of the individual more decisive and formative than the State's. Our personal life is more deeply rooted in the family, and we are its children in a fuller sense than we are children of the country. In fact, the family is the normal intermediary between the State and the individual citizen : we are subjects of a State only after birth. The State's first concern, therefore, should be to

preserve its families and increase their prosperity, for which purpose it must above all things safeguard the rights which the family derives directly from the Natural Law. Consequently, our duties to our family are not subordinate to our duties to the State. Indeed, it is misleading to talk of precedence in this connection, because our family duties and our patriotic duties are different in kind, the family and the State being two societies each playing a definite role in perfecting the individual. The State is composed of families; the State itself will suffer if its essential components are injured. The organised State provides the family, its basic unit, with wider opportunities and greater security, without violating the constitution and laws of the family itself. In so far as a State impairs the integrity of the family it weakens itself.

At the same time, the family owes much to the country—"the perfect society," as the theologians call it: the family cannot develop fully outside the community, or prosper unless the community is prosperous. Therefore, it too, owes much to the community; and the State, acting by lawful authority, may, in consequence and on occasion, call on children to leave their families and sacrifice themselves for the common good, when such sacrifice is necessary for the defence and welfare both of the individuals and of the homes which constitute the nation. Many hard questions may arise in practice; but the casuist will solve most of them easily enough if he has all the relevant facts before him and understands that "piety" is an analogical term.

The Catholic theologians, therefore, starting with certain premises about the human person, about his origin, nature and destiny, work out systematically what the virtue of patriotism is, in what it consists, on what facts and instincts it is founded, and what duties it imposes. If we wish to be virtuously patriotic, we must place the service of God in the first place; we must protect family life and the personal rights of individuals; we must show respect for the national genius and for the achievements of our people in the world; we must not belittle the legitimate rulers of the country, for by doing so, especially before outsiders, we bring discredit on the nation

as a whole ; we should obey just laws ; we should do what we can, given the opportunity, to promote the general well-being ; and, in the last resort, we should be willing to lay down our lives in defence of our country's laws and liberty against an unjust aggressor. And the theologians recognise that the more civilised a people becomes, the stronger will grow the sentiment of patriotism among them, because civilised people realise better than others how much advantage they have derived from working together for the common good. Nevertheless, they realise also that the sentiment of patriotism is not patriotism, just as the sentiment of faith is not religion nor the criterion either of truth or of moral rectitude. If the sentiment is not a rational emotion, if it is not scrutinised and held in check by reason, it will do harm—the more harm the stronger it is. It will turn good into bad and identify patriotism with an egoistic nationalism.

That is precisely what has happened. And the civilised world fears that the quarrels between nations, each urged forward to attack under an impulse that is too little controlled by reason, will destroy the heritage of ages. So far there has been no attempt made to unify the nations of the earth juridically so that they constitute a new Public Thing, somewhat like the composing elements and yet somewhat different from them in its rights and duties. The Catholic Church always works to realise the universal society, organically one, in the religious order ; but there is nothing similar to the Church in the political order. Is such an institution possible ? And, if possible, is it desirable ?

The second question will be answered in great part if we can answer the first, simply because universal peace is, in itself, highly desirable, if it can be secured.

The considerations which go to show that a Society of Nations is possible, are the following :—Patriotism of itself, does not include an aggresive quality. It does not mean that we should be at enmity with other nations in order to love our own, nor that the best way of proving our devotion to our country is to injure other countries. It is true that, as patriots, we may wish our country to be independent, to be *sui juris*,

to be a " perfect society " having inviolable rights just as the human person has ; but that does not mean that we thereby wish our country to be isolated from the rest of mankind and their various institutions. Independence in the moral and juridic order is one thing, complete isolation another.

Furthermore, this Society of Nations will not destroy independent nations : if properly constituted, it will presuppose them as the elements of the unity achieved by it. Just as the family embraces the individual without destroying his personality, just as the State embraces and unifies families without eradicating them, so the Society of Nations could co-ordinate nations without suppressing them. Union presupposes diversity, and every true combination preserves its elements at least virtually. The elements in union do not behave as they do when they are disparate, but even in the union they are not totally destroyed. If we apply analogically to a moral reality what we learn from the study of physical reality, there is no reason why nations should suffer an essential change when they form together a new corporation more perfect in the scale of moral being. The virtue of patriotism would still have its proper object and all the occasions for its exercise. There would not arise a conflict between one patriotism and another, because towards the Society of Nations we should not be patriotic in the strict sense, but loyal.

To these philosophical considerations must be added a fact, the fact of interdependence, which is so marked nowadays. There exists an international comity, international commerce, international finance, international intercourse of all kinds, almost an international culture, at least in Europe, and international danger. War, for example, between two countries almost inevitably involves war among all. The prosperity of one country or of a few diffuses prosperity among all, and economic depression in some affects the rest. This organic fact, which has resulted from the development and enlargement of human societies, is not yet a juridic fact : a Society of Nations does not yet exist. But it has begun to exist, and what has occurred seems to provide the material for a new social unit. The imminent peril threatening our civilisation,

and the presage of disaster growing constantly in intensity among the mass of mankind, are providing the occasion for setting up the full Juridic Fact.

So far Humanity has had no symbol in the political as it has in the religious order. Jesus Christ is the Head of a corporate body, constituting with it a new mystical reality, whose representative symbol is the Church. Humanity has remained an abstract term with no symbolic manifestation to make it present, objective and actual. As nobody can love an abstraction, it is necessary to set up Humanity as a moral person before we can make the ideal of Universal Brotherhood politically effective and practical. Up to this, if we wished to be realists, we were forced to confine our service to our own country because Humanity nowhere existed. Humanity was the sum of nations : diversity was given and no unity had supervened.

We must endeavour to harmonise, through and within a system, two loves which have been so often opposed—the love of peace and the love of country. We must solve the apparent antinomy between the ideal of Universal Brotherhood and the particular love of our own country. Both must remain substantially intact, but each should define and correct the other. Speculative knowledge and recognition of the claims of both and of the principles by which they should be adjusted, has not been lacking ; but the system is lacking to make the speculative conclusions practical and enforceable.

However, in addition to the difficulty of setting up this Society, there is a philosophical objection of a serious kind. The other moral personalities—*i.e.* the family and the State—are constituted not only by the union of many elements in a higher synthesis but also by the opposition between this new united thing and others of the same kind. If the Society of Nations is established this second condition cannot be fulfilled, and the union between the nations will be deprived of this support to its continued existence. If we set up nothing more than the United States of Europe facing the United States of America and of Asia, we shall inaugurate more extensive unions but make no essential change in them, for we should find in the

world only confederated states, and not a Confederation of States. Countries and Confederations are forced into social unity as much by the threat and pressure of attack from others as by the free renouncement on the part of the members for the sake of a higher ideal. If all external danger is removed, the Confederation of Nations can be held together only by goodwill and a constant readiness to make sacrifices. Can we count on that ?

Furthermore, even if this union could be effected though no danger from without forced the States to confederate, the communities must have a higher ideal than the one which brought them into separate existence. Families united and surrendered a certain amount of their independence in order to secure a higher, more universal good which the family could not provide and which the State could. And just because an ideal is superior to the ends which the family could attain alone, it belongs to another order and is exterior to the family. What could the more general, the more universal good be which would direct the activity of the Society of Nations and from which would result this comprehensive union of States ? The ideal necessary to organise into a stable union the widest possible human society must be superior to man and exterior to him. Does it not follow that the Society of Nations is not humanly possible for the political and social motives which compel mankind to unite in human societies ? If the only sufficient motive urging them to do so must be sought outside of and above humanity, the problem ceases to be a purely social question and becomes a religious question to be solved by organising men in a paramount religious society which would exercise a direct economic and political control over the confederated members. But there is no religious society on earth which claims such powers or is willing to undertake the government of men in temporal affairs.

The internal order and government of the constituent States would not be the concern of the Society of Nations, as each nation would be distinct and responsible for its own domestic administration. The universal good then would be universal peace, from which, indirectly, peace and just law

would result in the member States. The Society of Nations, therefore, would protect the weaker nations against the strong, and secure for mankind freedom of communication and of trade, and enable all to co-operate in producing and distributing wealth, in developing arts and sciences, in helping, as far as good government can, to make the world a pleasanter place for human beings to live in. This would, indeed, be a more universal good than that which separate nations could secure, and the ideal would not be transcendent. It seems to be within the natural powers of man to set up a Society of Nations.

The fact is, however, that the world has never seen such a Society, though it has seen a variety of States rising and falling in the course of history. States are individuals, one distinct from the other for definite reasons ; and, as individuals, they are opposed to some extent to each other. What will induce the stronger States to make sacrifice for universal peace ? What will compel them to surrender territory acquired, the sources of wealth won by past generations and held, as a kind of spiritual heritage, by the living, political and economic advantages of all sorts ? They hope to be able to defend these acquisitions against attack, and even to increase them, for the advantage of their nationals, when they find the opportunity. To forego much of what they have would be a heavy price for universal peace, especially as they could not count on the return desired from their outlay.

Consequently it seems that the Society of Nations is not possible for the political and social motives which compel mankind to unite in human societies. The ideal necessary to organise into a stable union the widest possible human society must be more universal than any social, political or economic bond. It must, therefore, be found in a religion that transcends all earthly ideals, that provides the true ground and reason for the Brotherhood of Man, and surpasses in value every object which Humanity relying on mundane motives could wish for or attain. This union must rest on a ready will, supported by a supernatural ideal, to make sacrifices ; for nothing less will bring it into being and preserve it. That ideal and the sufficient motives of self-denial must be sought in the Christian

religion, in the body of the Church One and Catholic, in the universal moral code promulgated by the Church, in obedience to the supreme authority in the Church in matters of faith and morals. The Society of Nations could come to birth and survive only within Christendom. Does that mean that the nations will become Religious Orders and the Pope the world's dictator? Religious Orders have a different role from that which the Society of Nations will fulfill, and the Pope was not a dictator when Europe was Christian. We can be loyal at one and the same time to two distinct societies, to the family and the State; we can be devoted at one and the same time to two distinct 'perfect societies,' the Church and the State. Why could not the Church and the Society of Nations remain distinct but co-ordinated and collaborating for the common welfare of mankind, each within its own sphere of influence and each with its own transcendent ideal?

J. E. Canavan

AN IRISH CRUSADER FOR AMERICAN DEMOCRACY

Matthew Lyon, 1750–1822

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IN America few characters have been more picturesque than Matthew Lyon; and many men whose names have been written larger in our conservative histories were of smaller stature than this Irish indentured servant who won national fame, and even notoriety, as a fighter for democracy.[1] Certainly no Irishman was better known in his day throughout the States, more hated by " aristocrats " of the ruling caste on the Atlantic seaboard, and more typical of the rugged, individualistic frontiersmen whom later generations have glorified.

Matthew Lyon was born in County Wicklow, July 14, 1750, of a sturdy mother by a rebel father who was executed as an alleged White Boy in that movement of small farmers, cottiers and labourers against the exactions of landlords' agents and Anglican rectors' tithe-gatherers. As a child of this movement, he was bred on the tales of generations of rebels who left traditions in the Wicklow Hills. Educated in Dublin, he studied the grammar school subjects including Latin until at the age of thirteen years he was apprenticed in a printing or newspaper office. Apparently, he learned a good deal about printing and cultivated a natural taste for journalism, as he devoured Lucas's *Freeman's Journal*. At all odds, he became acquainted with America through the Dublin prints and possibly through Edmund Burke's *An Account of the*

[1] J. F. McLaughlin's *Matthew Lyon, the Hampden of Congress* (1900) is a complete eulogistic study, accurate but badly organized. There are several biographical sketches: Rev. Pliney H. White, *The Life and Services of Matthew Lyon* (1858), an address before the Vermont Historical Society in the presence of the General Assembly; John G. Coyle, M.D., in the *Journal of the American-Irish Historical Society*, 16 (1917), 37–51; William A. Robinson in the *Dictionary of American Biography*, II (1933), 532–534, with a select bibliography. There are useful materials in the various local histories to which references are made in my footnotes, especially the accounts in Edward C. Starr's *A History of Cornwall, Conn.* (1926), 328–331 and in Andrew N. Adams' *History of the Town of Fair Haven* (1870), 273f, 417f, 515f.

European Settlements in America (1757), of which there was a Dublin edition in two volumes (1762). America, too, was popularized by sea-captains who were anxious for a full cargo of men, linen and provisions for their return voyages over the Atlantic. Hence they advertised for sturdy young people, especially artisans, who would indenture themselves for three years in payment of their passage. Lyon jumped his apprenticeship, bade his re-married mother a fond goodbye—taking his final leave in a quiet lingering look in early dawn as she slept unconscious of his last presence—and made his bargain with the sea-captain as a redemptioner or possibly as a cabin boy who was reduced to a saleable servant and robbed of his sole guinea. It was not a moral, but it was a profitable traffic in which shippers, captains and brokers of servants made money. American colonists obtained cheap help, and poor men and women as well as criminals and political rebels found means to leave their native shores for a future in the American plantations.

Aboard ship, Lyon became deathly sick, and according to the Rev. Pliny White's biographical sketch he was nursed by a depraved woman, probably a transported petty criminal. On landing in New York, about 1765, his indentureship was sold for twelve pounds to Jabez Bacon of Woodbury, the leading general merchant of Litchfield County, Connecticut, who is said to have amassed a fortune of at least a half million dollars.[1] A year later, Bacon assigned his servant to a fellow merchant, Hugh Hannah of the town of Litchfield, for a pair of stags worth about twelve pounds. To this transaction Lyon frequently referred in a favourite oath : " By the bulls that redeemed me." According to local tradition, " Mat was independent and Hannah was a severe disciplinarian, who not unfrequently applied the rod to his refractory servant." Finally, Matthew threw a mallet at his master's head, and he was permitted to buy his freedom.[2] In 1768 he became

[1] William Cothren, *History of Ancient Woodbury* (1854–1857), 351–354.

[2] In late years when Lyon had won fame, Hannah " was fond of talking about him ; attributing his success in life to the corporeal lessons which he had given him." See, Lyon's obituary, P. K. Kilbourne, *Sketches and Chronicles of the Town of Litchfield*, (1859), 262.

a "freeman" through his own arduous efforts after an invaluable experience under two shrewd, thrifty Connecticut Yankees noted for their plucky initiative in business and their cunning shrewdness in trade.

Like most of the recent British immigrants, Lyon became an ardent opponent of British rule in the days of the Stamp Act controversy and a determined opponent of the ruling order in local affairs. Presumably, he followed the contentious literature of this pre-revolutionary period and became a violent Whig or Liberty Boy in opposition to King's Men or Tories. About 1771 he married Phoebe Hosford, a niece of Ethan Allen, who had a small iron works at Salisbury, and by her he had four children.[1] Already an advertised figure in Litchfield County, Lyon became an accepted companion of the wild, propertyless, adventurous youths who were pushing northward to settle the Hampshire Grants, that disputed strip of mountainous land between New Hampshire and New York, east of Lake Champlain, in which the British Government had assigned some land-grants to veterans of the French and Indian War, including some Irish soldiers.[2] He also learned the iron business at least sufficiently well to engage therein in later years. A local historian did well in describing him as "a striking example of the genius of the institutions of our favoured country."[3]

Lyon and his family sold a farm of a hundred acres at some profit and followed their Litchfield County friends to the Green Mountain settlements in 1774. Here he located on a farm near the village of Wallingford, where he recruited a company of minutemen who were drilled by a veteran soldier of the late French war. In 1775 Lyon, at the head of Wallingford volunteers, joined Ethan Allen's forces at Ticonderoga, thirty miles distant, and took part in the capture of that fort, whose artillery and supplies were so needed by

[1] Ann married John Messenger of Vermont and removed to Kentucky and later to Belleville, Ill.; James, who was associated with his father in business and a government clerk under Jefferson, died poor in South Carolina about 1824; Pamela married Dr. Geo. Cadwell of Hampton, N. Y., and later removed to Kentucky where she reared seven daughters; and Lorraine died in her youth.

[2] *Calendar of New York Colonial Manuscripts* (1864) as digested by M. J. O'Brien in *J. A. I.*, 14 (1915), 238f.

[3] Cothren, *op. cit.*, 320.

the continental rebel forces. He managed to persuade some fellow countrymen to desert a Royal Irish Company for the American cause, and he displayed considerable engineering skill in mounting two cannons at Crown Point so as to capture an armed sloop on Lake Champlain.[1]

As a violent patriot, he may have been a delegate to the rebel Manchester Convention, January 31, 1775, but of this there is no record. At any rate, he was active in raising a company, of which he was named adjutant, for Lieutenant-Colonel Seth Warner's regiment of Green Mountain Boys which took part in General Richard Montgomery's campaign against Quebec in the fall of 1775 and in the "masterful" retreat in the following winter months.[2] Lyon, now a member of the governing committee of the Hampshire Grants and a delegate from Wallingford to the Dorset Convention (July 24, 1776), was commissioned a second lieutenant. He sought to resign from the provincial force to join Warner's new regiment of Continentals; and to this scheme the rather untrustworthy General Horatio Gates agreed at first, but finally insisted that Lyon and his company remain as a garrison at Jericho, some forty miles north of the American forces. Here the story became complicated and controversial. Lyon and his friends maintained that the company served no purpose but the protection of Tory wheat speculators who were supplying grain to the British forces in return for gold which commanded a tremendous premium over inflated paper currency. The mountaineers were courageous but restive and undisciplined, and apparently they were fearful in the face of Sir Guy Carleton's force of British regulars, Tories and Indians. Despite Lyon's admonitions not to quit its post, the company did so and retreated southward, leaving the responsibility of disobeying orders to its officers, including Lieutenant Lyon, who assumed the task of informing Gates of the abandonment of the advanced position.

A court martial under General Arthur St. Clair decided

[1] See his defensive letter to Senator Armitstead Mason of Virginia (Jan. 16, 1817) in McLaughlin, *op. cit.*, 113–114.

[2] See, Daniel Chipman, *Memoir of Colonel Seth Warner* (1848), also his *A Memoir of Thomas Chittenden* (1849).

to cashier the men and break the officers. Lyon was cashiered by General Gates with a private reprimand according to his own story, but according to his enemies he was drummed out to the tune of the Rogue's March and with the stigma of an attached wooden sword. At any rate, the version of his enemies clung to the story with all the force of a legend, so that Lyon was known as the "knight of the wooden sword." The Council of Safety of Vermont, on November 19, 1777, ordered the payment of the balance of ration money to Captain John Fassett and his lieutenants, Lyon and Jonathan Wright, for this service at Onion River in 1776. General St. Clair later successfully urged General Philip Schuyler to appoint Lyon as paymaster with the rank of Captain in Colonel Warner's regiment (July 15, 1777) with which he served in the campaign leading to the capture of General Burgoyne's British Army. It was just previous to his restoration that Lyon had acted as a voluntary guide for St. Clair's retreating forces from Hubbardstown (July 7, 1777) through a mountainous detour in Vermont, which helped preserve them from defeat by the English invaders.[1]

Lyon resigned his commission after Burgoyne's capture and joined Governor Thomas Chittenden at Arlington, Vermont, a Tory centre, where as clerk of the Court of Confiscation established by the Council of Safety he profited in the seizure of Tory property, as did other leading patriots of Vermont. This was the usual method of punishing Tories and converting lukewarm patriots into zealous rebels which was followed in the various states. And it is safe to assume that there was corruption and favouritism in the disposal or auctioning of such properties. Several years later (1785), the Council of Censors instituted impeachment proceedings against Lyon through the "state" assembly for refusal to deliver the records of the Court of Confiscation, which were presumably destroyed. He was fined $500, but won the privilege of a new trial. The case never came up again; the fine was never paid; and the state paid the costs of the original trial. It was decided that it was inadvisable to

[1] James Wilkinson, *Memoirs of My Own Times* I (1816), 189.

investigate the matter too closely as it would affect land-titles and numerous reputations, including that of Lyon's arch-enemy, Judge Nathaniel Chipman, with whom he had a personal encounter in 1780 because of a reference to the episode of the "wooden sword."

During his sojourn at Arlington, Lyon represented the town in the state assembly (1779-1782); acted as deputy secretary of the Governor and Council, assistant to the Treasurer and Secretary of the Board of War; and served in the state militia as a captain who was elevated to a colonelcy. These were critical years in the Hampshire Grants when the Green Mountain Boys were not only silencing Tories but were struggling against the New York interest which would incorporate the region into the state of New York. In this border struggle, Vermont leaders were said to have plotted with England for a separate agreement in view of the failure of obtaining recognition as a state. Whatever the Sir Frederick Haldimand plot may have been, it was suspected that Lyon was at least conversant with the secret. With the admission of Vermont as a separate state (1791), it became a sensitive affair which Vermonters agreed to forget.

Assuredly at this time, Lyon was the chief counsellor of Chittenden with the possible exception of Ira Allen, as Ethan Allen was a prisoner and the other leaders of the Green Mountains were in the continental service. As his biographer has noted of Chittenden and Lyon, "the destinies of Vermont at that day were largely controlled by these two remarkable men."[1] When his wife died in 1782, Lyon did not look beyond Chittenden's household and married Beulah Chittenden (1762-1824), the widow of George Galusha whose father later became a governor of Vermont. By this second wife he had eight children,[2] so that with eleven surviving children

[1] McLaughlin, *op. cit.*, 193.

[2] Minerva(1785) married Dr. Catlett, an army surgeon, who left her a widow in Beavertown, Penn.; Chittenden (1787–1842), an impulsive man, who had large interests in Kentucky, served in both houses of the legislature and represented Lyon County (named after him) as a Democrat in Congress, 1827–1835 (*Biographical Directory of the American Congress*, 1774–1927 (1928), 1247; Aurelia (1790) married Skinner and left two children on her death in 1819; Mathew (1792–1847) kept out of politics and made a fortune in Eddyvlle for his daughter and two sons, General H. B. Lyon, C.S.A. and Mathew Lyon; Noah Chittenden (1794); Beulah (1796); and Elizabeth Ann (1805–c. 1821) married John R. Giles and resided in Illinois.

Lyon was not without descendants who carried his Celtic blood through the veins of the "older" families of Vermont and Kentucky.

In 1783 Lyon was a patentee of Fair Haven, locally known as Lyon's Works. Within a few years he established two forges, a slitting mill to make nail-rods, a paper mill, a grist mill, and a saw mill which fashioned standing trees into building lumber.[1] Much of this machinery had to be carted from Lennox, Massachusetts. Colonists and labourers, some of them recent Irish immigrants, were induced to settle in Lyon's town. He is even reputed to have been a leader along with the Rev. Daniel Barber[2] in the foundation of the Episcopal Church in Vermont.[3] At any rate, he was not charged with deism any more than other advanced democrats.[4] even though an active member of no denomination and a relative by marriage of Ethan Allen who published the first American deistic work and whose daughter, Fanny, strangely enough, became a nun in the convent Hotel Dieu in Montreal. At Fair Haven, Lyon experimented with the bark of the basswood tree until he made a satisfactory paper for his printing press.[5] This attracted wide attention. Even the *Dublin Evening Post* noticed that Colonel Lyon, M.C., from Vermont had discovered a method of making paper of the bass tree which equalled paper made of rags save in colour.[6] All of his ventures were successful, especially the preparation of ship-timber on Lake Champlain for the London market, and Lyon was rapidly amassing a competence as Fair Haven grew into a small town. As an authority on the history of the State wrote: "He was daring in his enterprises, and had

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[1] Timothy Dwight, *Travels in New England and New York*, II (1814), 455; See, Adams, *History of Fair Haven* (1870); A. J. Coolidge and J. B. Mansfield, *A History and Description of New England*, I, (1859) 800.

[2] Daniel Barber (1756–1834), soldier of the Revolution and Episcopalian minister of Claremont, N. H., for thirty years, became a Catholic as did his family, who found a number of vocations as Jesuits and Sisters of Charity. A nephew, William Tyler, became the first Bishop of Hartford.

[3] Zadock Thompson, *History of Vermont*, II (1853), 195.

[4] Rev. Timothy Stone in his manuscript in the Cornwall library writes of him as an infidel like Dr. Isaac Starr, a local worthy, and Ethan Allen. See, Starr, *op. cit.*, who suggests that "some have thought he was a Roman Catholic."

[5] From this press, there probably was issued a life of Franklin and a novel, *Alphonso and Dalinda*.

[6] Issue of July 9, 1798.

he either neglected politics and given his intellect and skill to business, or given less attention to business and more to culture in law and statesmanship, he might have been an eminently successful man . . . . He was on the whole more useful to the public than to himself."[1]

But Lyon could not remain outside of politics. A rigid democrat and an outrageous republican, he had a crusading zeal in stamping out Toryism and fighting aristocratic and Federalist control of government. While he is said to have refused a judgeship of Rutland County, he served his town as selectman for several years and as representative in the state legislature at least ten terms and in the constitutional convention of 1793. A preacher with no marked democratic leanings could describe him during these years as a man " possessed of all the qualities of his race " who had " talents but they were rough and unhewed from the quarry, and would have appeared more comely in the eyes of most men, if he had been subject to the polish of the chisel."[2] In this very roughness, lay his strength as well as in his aggressiveness, impulsiveness, sturdy physique, skill as a stump-speaker, bitter wit and terse writing. Vermont Republicans were not critical of his crudities, and he would have disdained the good opinion of Federalists, whom he believed to be Tories in a new disguise. Against them he carried on the fight to save Vermont for the ideals of 1776, which were becoming quite forgotten in the post-revolutionary years and in the Federalist national government. The fear of revolution, of reform and of Jacobins had seized the Federalists whether in the nation at large or in Vermont. As men of property, of some little learning and of assumed social position, Federalists conveniently forgot what the masses of men, even recent foreigners, had done to win American independence.

As soon as Vermont was admitted as a state, Lyon became a candidate for Congress. In three campaigns he obtained a plurality of votes, but each time he was defeated in the second canvass when the issue was between him and his highest

[1] E. P. Walton (ed.), *Records of the Governor and Council of the State of Vermont*, I (1873), 123f.

[2] Adams, *op. cit.*,

opponent, Israel Smith. In the meantime he established the *Farmer's Library* (1793), later known as the *Fair Haven Gazette*, with his son James, who had been trained in Philadelphia under Benjamin Franklin, as editor and with Lucas's *Dublin Freeman's Journal* as a model.[1] At this time there were only three other papers in the state (at Bennington, Windsor and Rutland)—all Federalist, administration journals operated by office-holding members of the politico-religious ruling class. Lyon's paper became the recognised Republican or Jeffersonian organ in the state, and it might be added that several of Jefferson's chief editors were English, French and Irish immigrant rebels—a fact which did not stimulate Federalist sympathies for immigrants. Lyon was rapidly making himself a Jeffersonian leader in the state and winning the virulent hatred of Vermont Federalists. On his fourth trial, in 1796, Lyon won his seat in Congress. While *Porcupine's Gazette* might describe the Lyon of Vermont as an animal caught in an Irish bog, few Federalists in Congress from New England could claim a distinguished ancestry. Senator Nathaniel Chipman could be reminded that his father was a swarthy blacksmith.

Lyon was no silent Congressman, not even in his first year at Philadelphia, the then national capitol. He began his career by denouncing the aristocratic custom of replying to the presidential message and requesting that he be excused from attendance at the personal presentation of the Congressional reply. John Allen of Connecticut attacked men with Irish brogue who were flung on these shores and appealed to men of blood to hold such Democrats back. To this reference to his humble beginnings Lyon answered that " he had no pretensions to high blood, though he thought he had as good blood as any of them, as he was born of a fine, hale, healthy woman. Before yesterday, he never heard of gentlemen boasting of their blood in that House. He could not say, it was true, that he was descended from the bastards of Oliver Cromwell or his courtiers, or from the Puritans who punished

[1] McLaughlin, *op. cit.*, 23.

their horses for breaking the Sabbath, or from those who persecuted the Quakers or hanged the witches."[1]

It was not long until Lyon was engaged in the notorious conflict with Roger Griswold, a Federalist representative from Connecticut, Griswold had heard the story of the wooden sword from Chipman and used it in making a slighting reference to Lyon, who thereupon spat in his face. This occurred in the presence of the Speaker and several members while the House was not formally in session. Griswold was restrained from further attack by his colleague, Samuel W. Dana. A resolution to expel Lyon failed for the lack of the necessary two-thirds vote. Chaplain Green held that Lyon was the assailed party, as he was defending himself from being the butt of ridicule. On February 15, 1798, Griswold suddenly attacked Lyon with his cane while the latter was working at his desk in the Congressional chamber. Federalist members showed no desire to end the beating, and Lyon finally managed to defend himself with the fire-tongs. Again Congress refused to expel him ; Republican members believed with Jefferson that the administration desired to get rid of him and his vote.[2] And naturally an administration leader like Griswold could not be disciplined. Albert Gallatin, a Republican and later Secretary of the Treasury, defended Lyon but not his method, and Gallatin's biographer, Henry Adams, a grandson of the president, wrote of Lyon : " Though a very rough specimen of Democracy, he was by no means a contemptible man, and, politics aside, showed energy and character in his subsequent career."[3]

Rabid democratic papers like Duane's *Aurora* eulogized Lyon, while Federalist journals, of which William Cobbett's *Porcupine's Gazette*, was the most vicious, ridiculed Lyon and lampooned him in caricatures and ballad in most violent fashion. The incident was the occasion of tedious debates in Congress and of bitter partisanship throughout the country, when factionism was at its worst in American politics. Hamil-

[1] *Ibid.*, 223.
[2] A. E. Bergh, *The Writings of Thomas Jefferson*, 10 (1907), 17, 20. See Joseph H. Jones (ed.) *Life of Rev. Ashbel Green* (1849), 267.
[3] *Life of Albert Gallatin* (1879), 192.

ton Rowan in exile in America wrote to his wife of the disgraceful affair: "The House of Congress is becoming a boxing school, the Speaker giving challenges from the chair; and when taken up in private, putting the matter *ad referendum* till the end of the session If this is a specimen of a democratic republic, Lord help us sufferers in the cause."[1] In an address to his constituents Lyon explained his position: "Perhaps some will say that I did not take the right method with him. We do not always possess the power of judging calmly what is the best mode of resenting an unpardonable insult. Had I borne it patiently, I should have been bandied about in all the newspapers on the continent which are supported by British money and federal patronage as a mean poltroon. The district which sent me would have been scandalized."[2]

Federalist persecution of Lyon "the pioneer Democrat of New England" and "the dragon of democracy" did not cease; the Adams administration was on the defensive; it had to break dangerous Republicans, especially those who printed newspapers attacking the administration and its reactionary policies. To silence criticism, the administration forces passed the Sedition Act, July 14, 1798. Lyon, and he was not alone in his opinion, believed that the act was aimed at him. At any rate he was the first of ten editors tried under the act and the most drastically persecuted of any of those violent Democrats. In his campaign for re-election in 1798, he was abused unmercifully in the local Federalist press as a boor, a tool of France, a Jacobin and an opposer of government, while every member of the Federalist machine was watching him in the expectation of a violation of the Sedition Act. Lyon objected to being called an opposer of government; "It is quite a new brand of jargon to call a representative of the people an Opposer of the Government because he does not, as a Legislator, advocate and acquiesce in every proposition that comes from the Executive."

When the *Rutland Herald*, edited by Dr. Samuel Williams

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[1] W. H. Drummond (ed.), *Autobiography of Archibald Hamilton Rowan* (Dublin,) 1840, 321. McLaughlin's account is as tediously long as the debates, pp. 209–305.

[2] Adams, *op. cit.*, 420f.

(author of a history of the state), refused his contributions, Lyon established the ephemeral *Scourge of Aristocracy and Important Political Truths* (October 1, 1798) under the editorship of his son James. In defence of his opposition to a war which seemed inevitable because of French aggressions, he maintained that the frontier was not concerned with the carrying trade whether it be in foreign or domestic hands: "We felt strong in ourselves and unconquerable in our internal situation; but external and offensive war we could not consider to be the occupation, the business, or the interest of Americans, who have neither men nor money to spare, nor a taste for conquest. We could not be willing to see our country embark in an endless and useless contest concerning a commerce in which but a small part of the community were interested. We could not but be sensible that the cost of the war must fall on the landed interest, without the most distant prospect of retribution."[1] This was reprinted in the *Rutland Herald*.

To Washington such attacks would have been mild, but that was before there was a proscriptive statute which violated the principle of liberty of the press. Or to any president since the Act died, March 4, 1801, Lyon's charges would have been moderate in an opposition leader. But under the tyrannical Sedition Law, Federalists were aware that Lyon had said enough to be convicted by a Federalist jury and a Federalist judge who owed his position to the Federalist party. He was convicted in the United States Circuit Court at Rutland for his "scurrilous, scandalous, malicious and defamatory language" and sentenced to serve four months in prison and to pay a fine of 1,000 dollars and costs by Justice William Paterson of the United States Supreme Court and Federal District Judge Samuel Hitchcock. His prison was at Vergennes—far enough away to be rather inaccessible to his friends—and for a time he was refused the privilege of writing and denied heat until friends provided a stove.

Friends did come, and Lyon held court from his barred window and kept up a correspondence with political leaders.

[1] McLaughlin, *op. cit.*, 332.

An opponent of Lyon was appointed justice of the peace at Poultney only to have his office blown up by a mob of young men, some of whom like Jeremy Dwyer were compelled to flee the state. Lyon urged the Green Mountain Boys not to batter down his jail, so exercised were the patriots of 1776. While in prison, he received 1,900 votes more than his nearest competitor in a field of four candidates, but he failed to obtain a majority. On a second trial, Lyon did better with 2,100 votes over his nearest competitor and about 600 votes more than the combined opposition, despite herculean Federalist efforts and administration patronage, for "no man in the whole Republican party, not Benjamin Franklin Bache nor Albert Gallatin nor Thomas Jefferson was so hated and despised as Mathew Lyon."[1] While Lyon had considerable property, he had not the required gold—then a scarce article in Vermont—to pay his fine. Local supporters collected the necessary money, but apparently not before the arrival of General Mason on horseback from distant Virginia with 1,000 dollars in gold coin. Therewith Lyon was freed; and on his announcement (February 9, 1799) that he was on his way to Congress, he could hardly be re-arrested even by vindictive Federalists. Lyon was a Democratic martyr hailed by the Democratic press as a victim of Federalist tyranny. His long journey to the capitol at Philadelphia through the states of New York, New Jersey and Pennsylvania was a continuous ovation, as befitted a man who had suffered for the freedom of the press and who had been convicted by a "packed jury" and a factional judge. A last effort to deny Lyon a seat in the House failed by a partisan vote of 49 Federalists to 45 Democrats. It was most fortunate for Jeffersonian Democracy that Lyon was in Congress, for his vote was badly needed.

Lyon played an heroic part in the election of 1800 when the decision between the tied candidates for the presidency, Thomas Jefferson and Aaron Burr, was thrown into the House of Representatives in accordance with the Constitution. Federalist hatred of Jefferson was so intense that the leaders

[1] John B. McMaster, *History of the People of the U.S.*, II (1896), for a sympathetic account. See, Charles R. King, *The Life and Correspondence of Rufus King*, II (1895), 467.

of the party were determined to thwart the will of the popular majority of the country and force the selection of Burr, discredited as some of them knew him to be. In voting by states, Jefferson had the support of eight state delegations, Burr that of six, while two states (Maryland and Vermont) were divided. Finally on the thirty-sixth ballot with the withdrawal of Lewis R. Morris of Vermont, Lyon as the sole representative of Vermont cast the vote of his state for Jefferson, thereby giving him nine states and the election. In the words of a considerable historian, "Irish Lyon, the persecuted Republican, saved New England from historical reproach of seeking stubbornly and with state unanimity to subvert the electoral will of the majority of the nation."[1] No wonder Lyon was a Democratic hero. One can understand with what elation he saw Jefferson inaugurated president and wrote his open letter to the retired "Citizen John Adams" with sharp condemnation of his regime and the unconstitutional legislation of which he and his party had been guilty.[2]

President Adams did not minimize the influence and responsibility of foreign born editors like Lyon in bringing about his defeat and that of the Federalist party: "If we had been blessed with common sense, we should not have been overthrown by Philip Freneau, Duane, Callender, Cooper and Lyon or their great patron and protector (Jefferson). A group of foreign liars encouraged by a few ambitious native gentlemen, have discomfited the education, the talents, the virtues, and, the property of the country. The reason is we have no Americans in America; the federalists have been no more Americans than the anties." Years afterward, when his violence had cooled, he still listed Lyon among the scribes who had destroyed his party.[3]

In 1800, Lyon did not stand for re-election to Congress as he planned to leave Vermont and its Federalist persecution, even to the destruction of his press and the suspicious fires

[1] James Schouler, *History of the United States*, I (1894), 499.
[2] McLaughlin, *op. cit.*, 397f.
[3] Charles F. Adams (ed.) *Life and Works of John Adams*, 9 (1854), 582, 584; 10 (1856), 116. Lyon threatened to revolutionize Connecticut, as he had Vermont, by establishing a Republican paper. R. J. Purcell, *Connecticut in Transition* (1918), 231.

in his mills, for the more democratic West. When Congress adjourned, he visited Senator Stevens Mason of Virginia and thereafter prospected through North Carolina, Tennessee, Kentucky and into the Northwest Territory. He decided upon the village of Eddyville on the Cumberland River in Kentucky for his future home. In these journeyings, he visited Andrew Jackson at the Hermitage in Kentucky, and he is said, on rather doubtful authority, to have saved that worthy Democrat from the spell of Aaron Burr and his wild filibustering plans against the Spanish-French empire to the westward. With Eddyville as his objective, Colonel Lyon and his caravan of children, relatives, retainers and possessions commenced the long trek of two thousand miles from Fair Haven to the grief of all good Republicans and to the relief of all Congregational Federalists, who rejoiced with the Federalist press that "the Beast of Vermont prowls in the Western wilderness."[1]

Again Lyon demonstrated his ability as a builder and a magnetic political leader. He was active in bringing settlers to Kentucky, including handymen from Vermont and some Irishmen as Rogers the tanner. A generous man, he brought out the five youngest children of his deceased sister, the widow of Captain Edwards of a Dublin merchantman, whom he reared even as he had his successful stepson Elijah Galusha. He established a tannery, mills and a printing press for which the type and machinery had been transported over the mountains on horseback. In 1802 he served his neighbours in the state legislature, and in that year he was elected to Congress, where he represented Kentucky from 1805 to 1811. In the meantime, he built a shipyard at which he constructed river-boats, and he himself engaged in the trade of provisions, hides and lumber for the market at New Orleans—then the maritime port of the whole trans-Alleghany country. Well might he be described as the "most remarkable character in south-western Kentucky."[2]

Kentucky, at this time, had several thriving Catholic

[1] Edward Channing, *History of the United States*, 4 (1920), 175. John Lyon, a relative continued at the iron works in Fair Haven; otherwise the family deserted the place.

[2] R. H. Collins, *History of Kentucky*, 2 (1874), 491.

communities largely composed of migrants from Virginia and Maryland and some Irishmen who had been settled in Maryland or Pennsylvania. Lyon was intimate with Fathers Robert Abell and Elisha Durbin, and the latter is said to have used Lyon's home as a Mass-house for stray Catholics of the region. As for himself, Lyon was not a recognized member of the Church, but one of his descendants is an authority for the statement that he was probably a Catholic though not in practice.[1] Toward the end of her life, Mrs. Lyon was a member of the Methodist sect according to her son Chittenden.

In Congress, Lyon did not hesitate to criticise the policies of President Jefferson and Madison. He denounced the foreign policy, especially the embargo, the centralization tendencies of the federal government, the arbitrary rule of western territories, the growing power of the speaker over the rules of the House and the appointment of committees, and the Congressional Caucus method of nominating presidential and vice-presidential candidates. Despite the notorious corruption of the Yazoo land frauds, Lyon favoured a compromise of the claims in order that the settlement of Georgia might not be hindered. He favoured a protective tariff and opposed the embargo, which was destructive to his river freighting as the export trade at New Orleans was silenced. A pacificist he argued, in the debate on the repeal of the embargo (Feb. 7, 1809), against the possible war with Great Britain: "I know a little of what war means. Although I had not the honour of bearing a conspicuous part in that war which gave this country liberty, although I had the mortification very unjustly to receive a stab in my reputation in that war, a stab which would have put almost any other man down, I acted an humble though perhaps a useful part in that war from the first to the last of it."[2]

This opposition resulted in his defeat for re-election in 1810. When the War Hawks, Democrats and the West forced the war with England, Lyon was in the opposition. However, he built gunboats for the Government and sent his sons into the fight. This venture proved unsuccessful, some

[1] McLaughlin, *op. cit.*, 477f.

[2] McLaughlin, *op. cit.*, 115.

of his boats being sunk and other gunboats delayed beyond the contract, so that together with the loss of his river business he found himself in financial difficulties. These were met by his sons who assigned 28,000 dollars to meet the claims. Loyal to the Union, he had no sympathy for the Federalist and New England factional opposition to the war, and he urged his friend, Josian Quincy of Massachusetts, not to endanger the Union in 1814.

In 1819 he urged non-importation of foreign manufactures as a means of curing hard times, as he advocated the prohibition of the sale in Kentucky of any article not manufactured in the United States. Nor did he fail to advise, through the *Lexington Gazette*, on the slavery question which was becoming paramount in American politics. While a warm friend of negro emancipation, he believed that the white population grew more rapidly in slave than in free states and that the dispersion of the negro population into the country west of the Mississippi River would be to the advantage of both negroes and whites.[1]

Straightened in circumstances, Lyon petitioned Congress for indemnification of losses and sufferings under the old sedition law. A select committee of the House reported that the section of the law of July 14, 1798, relative to punishment of libels was unconstitutional and the fines exacted under it should be restored. A Senate report indicated that the fine had never reached the treasury. Senator James Barbour proved himself Lyon's chief patron in a lengthy speech (January 15, 1821), and when the cause was lost by a senatorial vote of 24 to 19 he gave notice that he would bring in a special relief bill to take care of the matter. Finally, after at least four attempts, and eighteen years after Lyon's death, an act of Congress was passed, July 4, 1840, refunding the fine to the Democratic martyr's heirs.[2]

In 1820 President Monroe appointed Lyon a factor to the Cherokee Indian nation in Arkansas Territory, where he

[1] *Niles' Register*, 17 (1819), 63 (re-publishing his article in *Kentucky Reporter*), 18 (1819), 113.

[2] *Ibid.*, 19 (1820), 203, 348, 363, 45 (1833), 337, 410, 434; *Congressional Globe*, 26th Cong., 1 Session, 410–414, 418; McMaster, *op. cit.*, 5 (1906), 548.

established himself at Spadra Bluff near Little Rock on the Arkansas River. A politician still in his old age, he was an unsuccessful candidate against James Bates for delegate from Arkansas Territory to Congress. He gave up an idea of contesting the election and built himself a flatboat, which he loaded with furs and sailed to New Orleans where he bartered his cargo for manufactured goods, iron ware and machinery for his proposed cotton gin. On his return he visited his old home in Eddyville, Kentucky. In all the old man had travelled three thousand miles within three months and stood the rough life on river and in the wild country as well as the youngsters.[1] Nor was he politically at rest. He warned against the habits of luxury and dissipation to which the nation had descended since 1776, and ridiculed the officials and clerks in Washington who were enjoying high living while whining about the parsimony of the Government. Almost prophetically, he gauged the power of the presidency : " A president of the United States possesses such vast powers and prerogatives and such immense patronage—has so many offices to bestow and so much public money to disburse—that it is next to impossible to oust one who shall act with a common share of prudence and foresight."[2]

In 1821 Lyon was chosen delegate from Arkansas Territory to Congress, but death at Spadra Bluff, August 1, 1822, prevented him from taking his seat. Buried in the Cherokee Indian country, his remains were removed by his family to Eddyville, Kentucky, where a modest monument marks the resting place of a restless, wandering Irishman, a natural frontiersman, a stout fighter for democracy, a shrewd entrepreneur whose bent for politics prevented his accumulation of wealth, and a sincere advocate of the rights of the masses.[3]

Richard J. Purcell

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[1] *Niles' Register*, 21 (1821), 247, 271, 23 (1822), 80.

[2] Article in *Arkansas Gazette* reprinted in *Niles' Register*, June 29, 1822.

[3] He is said to have left an unfinished autobiography according to a grandson, but it has not been located. McLaughlin, *op. cit.*, 27.

SOME IRISH BARDIC POEMS

EDITED BY LAMBERT MCKENNA, S.J.

XXXVII

FEAST OF THE LORD'S BODY

1. Lá raoire corp an Coimdeadh
ar tigearna ar talaimneamh
an traoire cá fád ma dfuil
[daoire] do cáċ nać cualaid.

2. Íobal do bí feaċt oile
i gcumann ir criordaide
gan rgíp gan uirċra ar a n-úid
'n-a ndíp ċumċa agur comṁúin.

3. Iarraip re dtoċt dá [ċeagar]
ar an Íobal airleagad
tré neamċomṫrom eire air
leaṫconċlann eile an Íobail.

4. Airleagad uaim ní fuige
a compánaiġ criordaide
árać le corp nDé damra
[nó] go mbé ort agamra.

5. Don criordaide gin gur cáir
do ċionn airliġte d'faġbáil
an corp raor ir ré naomṫa
do faoṁ é ir níp ionfaomṫa.

6. Gluaiprid rompa leaṫ ar leaṫ
i gcríoċ Íobal gan fuireaċ
leir an gcorp naoide naomṫa
noċar b'aoide anaoidda.

7. Do deaċradaoir na dúile
díb trép an gcorp gcaomṫúide
nír cáir fraoċdaċt rer an dreap
tré naomċorp cáid an Coimdeadh.

8. Crann 'n-a loiġe ar brú bearna
ar cionn ċuirp an tiġearna
le corp n'Dé a hūir do éirġ
ré mar buḋ dūil deiġcéillidḋ.

9. Mairġ do ċáċ naċ creidionn rin
ar ḃfaicrin cuirp an Ċoimḋiḋ
tóġḃair an crann le corp n'Dé
a ḃarr ni hoic an uirrí.

10. [Tuġ] an t-Íoḃal d'éir a ġnioṁ
corp Dé aċar an airdríoġ
rġéal fa mór eire d'falaċ
don trlóġ eile Íoḃalaċ.

11. Nir ġaḃrad ċuca ġur ċorp
corp Dé le ndearna diaḋoċt
tigid luḃail ġá faicrin
[níor fiuḃail ar faorairciḋ].

12. Corp ni raiḃe riaṁ ġan fuil
do ḃeiṫ ann ar na hÍoḃail
ġontar dá fior an corp cáiḋ
fan liur nar oic a anáir.

13. A corp Dé i ndiaiġ a ġona
teaġaid frarra fionfola
rġéala diaḋa ceann i ġceann
mar déara diana dileann.

14. Lionair corp lora dá fuil
ar éir a ċéile an ċaṫair
Íoḃail ar a n-áitiḃ féin
báidṫir d'fionfuil an fíréin.

15. A ḃeiṫ fan rioċt i roiḃe
ó 'd-connaic an criordruiḋe
gé do rad corp n'Dé don dreim
nir ḃ'é nar oic le a inntinn.

16. D'fortaṫt an ċriordruiḋe ċáiḋ
[éirġiḋ] Dia diaḋa an eadráin
do rnaoi mar ḃa báḋ ar muir
an fáḋ do ḃaoi fa a ḃonnaiḃ.

17. Do [. . . .] an cuirp
ar rgaoileadh an rgeoil orrduirc
do thráig mar bud toil don trlóg
do báid an fuil a n-urmór.

18. . . . . .
corp fíog nime ir naomtalman
a-tá ó fin 'n-a faoire
mná ir fir gá éagcaoine.

19. [Dardaoin cuirp] Críord ir é a ainm
féarda uaral fuair mórgairm
an lá re hucht na hAoine
a-tá gun gcuirp caomhnaoide.

20. [. . . . . ionann] ir Íobail
fuair docar fa a ndroicghníomhaib
mac Dé go gcreidear dá corp
ir mé ag creidead a cumoct.

21. [. . . . .] inn
dá corp ir do Chríord chreidim
ir don Spiorad Naomh nime
chaob a hionad ainglide.

22. [Muna n-adhar] corp Críord cáid
rlige go hIfreann anbáil
an corp do naomhad ar nim
dar faorad ar an rligid.

23. Nó go mbia mar do bí ag teacht
ó dún nime na naoimfeart
noca dtéid i dteach nime
neach do méid a maitmige.

24. Ní hé go dtuaraim an teach
acd do dóig a Dia dúileach
'n-a bruig aoibinn fionn ógach
faoilim ionn go hanórach.

25. Gin go ndeachad dia do cheidm
acd aoinfear i n-uaim Ifeirn
d'fíor ar an domhan nír dluig
gan omhan trér an uamhaid.

26. [An bhiocht] gin go ndeachadh de
ar neamh acht aoinfear eile
do dhiug fuil fe neamh néalach
nar chuir fear acht firéanach.

27. Téarnóg feir ni doirbh do dhruing
gid cuir acttoirre a n-abhruim
i mbeigfeadh ni cáir a chur
madh áil creideamh dá gcanuibh.

28. An fíol chruitneachta caoimhe
curtar i gcriadh fódnaoidhe
gémadh fagtan fadh gá chur
fal na talmhan 'n-a chiomchuil.

29. Chruitneacht chorcra fa chriadh nduinn
ar bhár a cuilg 'r a cunnuill
a bualadh gtan bur dhíol dí
'n-a fíol ful fadh a-fírre.

30. Cá córa d'éinfíol eile
fal air i n-úir [aingidhe]
iná do fíol úr éadha
mar fíor fúg na foirgéala

31. Peacadh na collа ir é an fal
an faoiridhe ir é an bualadh
an fíol famhail na hanma
maraidh bhíog na baramla.

32. Bíodhbaidh gach anma idir
gach olc nach áil d'faoiridhin
cionta an chuirp ag bheith birig
cleith gach uilc a inmirin.

33. Mairg mar eadh ceilear a chion
gan a faoiridhe ór ireal
dhíol ar an gcion no-r-céala
mar fíor d'fíor an aithméala.

34. Ir oircear do Mhuire mhóir
féardha uaral fuair anóir
géag naoidhe gan diall fe dhoing
chéadh nach biadh faoire ag faoichloinn.

35. Adbar ainmnigte faoithe
do máthair Dé dealbnaoithe
ní deathna i gcli cionta mná
'r do-ní fiotha gach éanla.

la.

Translation

1. The Feast of the Body of the Lord, ruler of Heaven and earth—'tis a pity all have not heard why this Feast exists.

2. Once a Jew and a Christian were in partnership, a pair of friends and familiars with naught to try or trouble them.

3. The Jew's companion, being pressed by excessive debt, asked, so as to avoid seizure(?), the Jew for a loan.

4. "No loan from me shalt thou get, O Christian, until I get a bond on thee for possession of the body of the Lord."

5. Though 'twas wrong for the Christian, yet, to obtain his loan, he gave his consent—it should never have been given—to hand over the holy sacred Body.

6. They both therefore set forth straightway with the sacred fair Body—gracious that Visitor!—to the country of the Jews.

7. Owing to that gentle fair Body all the elements refrained from (troubling) them; 'twas forbidden to the elements, owing to the man's having the Lord's holy Body, to be fierce against him.

8. A tree lying on a gap, as the Lord's Body, God's Body, approached, rose up from the ground as though possessed of reason.

9. Woe to all who credit not this; when the tree saw the Lord's Body, it raised up its branches—a worthy homage:

10. After this happening to the Body of God, Father and High-King, the Jew told the tale of it—a tale that should have been hidden—to the rest of the Jews.

11. They would not admit that this Body of God by which He had exerted divine power was a real body; the Jews flocked to see it—they paid dearly for that journey (?)!

12. "Never was body without blood in it" say the Jews; to test it, the pure Body is wounded in the city—a sorry welcome!

13. From God's Body when wounded came torrents of bright blood, like the strong waters of the Deluge—signs sent by God.

14. Jesus' Body soon filled the city with His blood; the Jews are drowned in their dwellings by the Blood of the Just One.

15. Though the Christian had delivered God's Body to the folk, the plight in which he saw the folk was not unpleasing to his heart.

16. God rises up to save the good Christian—wondrous deliverance! The ground whereon he stood floated as a boat on the sea.

17. When the wondrous story spread abroad . . . .; the water then ebbed as the folk desired; the flood had drowned most of them.

18. . . . . the Body of the Lord of Heaven and earth, lamented by men and women, is ever since a Feast-day.

19. Thursday of Christ's Body—for so it is called—a noble and honoured Feast, the day before the Friday, is devoted to the Sacred Body.

20. . . . . not the same as the Jews who came to grief through their crimes; may I, trusting in the power of the Son of God, believe in His Body.

21. . . . in His Body and in Christ I believe, and in the Holy Spirit of Heaven, that branch from the angelic house.

22. If I cleave not (?) to the pure Body of Christ, the Body sanctified in Heaven and saving us from the path to dreadful Hell, that (the way to Hell) is the way I take.

23. Until he become again (innocent) as he was when coming down from holy Heaven, no man can enter there, however great God's indulgence.

24. Not that I merit Heaven—but, trusting in the Creator, I expect to stand with honour in His beautiful gleaming palace full of virgins.

25. Had there been only one man sent—dread fate !—to Hell's pit, yet no man on earth should be without fear owing to that pit.

26. Had there been only one sinner brought to Heaven from earth, yet 'twere right to hope for Heaven above—which none but the innocent merit.

27. What I am saying is doleful ; some folk would fain avoid the thought of it (?) but it is well worth thinking over if one has the good will to believe it.

28. The seed of pure wheat is placed in fresh clay ; though it be clean when sown, dirt is all round it in the earth.

29. When the bright wheat in the dark earth has put forth its stalk and ear, it must be threshed clean ere it become seed again.

30. To what other seed rather than to Eve's fresh seed is the dirt in the wicked earth likely to adhere—if the Gospel's inner meaning is to be believed.

31. Fleshly sin is the dirt, confession is the threshing, the seed is the image of the soul ; so the force of the comparison stands.

32. Foes of the soul are sins one does not confess, fleshly sins growing apace ; to tell sins is to banish them.

33. Woe then is he who hides his sin and confesses it not humbly ; if a man's sorrow is genuine his atonement for sin will blot it out.

34. Proper to great Mary is a noble honoured Feast-day ; should not a noble progeny, that fair branch, so different from the (rest of the) folk, have a Feast-day ?

35. The reason why a Feast is devoted to the beauteous Mother of God is that He brought no guilt upon that mother's womb, and that she performs wondrous works every day.

NOTES

[MS. : H 3 19 f. 23]

1*a* coimġeaḋ *b* talaṁ neaṁ *d* ꝺaoine ; gcualaiḋ ; ꝺaoine however is possible, " how can there be any folk in the world ignorant of it." 3*a* ċeaġ ; exact meaning of ceaġar (if reading be correct) is here uncertain. 4*a* ḃṗuiḋe *d* nó not in MS. 9*ab*. coimḋiḋ as *gen*. is strange ; a *nom* and *gen*. coimḋiḋ (like ṗoġlaiḋ, &c.) is perhaps possible. *c cf* IGT l 1785 where couplet is quoted. 10*a* tig ; ꝺéir na ng. 11*a* coṁp *c* ioḃail *d* in ṗioḃail ar a moṁairgiḋ ; " ṗéaċ " is put after the stanza in MS. The text is merely conjectural. 13*c* ꝺiaġꝺa 14*a* líonuṁ. 16*b* ar leiṁg ꝺia ꝺiaġꝺa an e. 17-22 First words of initial lines are mostly illegible. 19*a* MS. faded, ꝺaṁꝺaoin faintly conjecturable, cuiṁp a conjecture *b* gcaoṁnuiḋe. 26*a* MS. not clear. 30*b* ainġliḋe, which seems unsuitable. 32*a* bioḃaiḋ. 33*c* ir in gcion na gcéala, which could stand (n- being often put before relat. a n-), but gives awkward sense. Text is play on two meanings of ceilim.

SOCIAL CREDIT IN ALBERTA

BY HENRY SOMERVILLE, M.A.

THE formation of a Social Credit Government in the Province of Alberta last summer attracted very widespread interest. The present writer received requests for information on the subject from editors in three continents. Here in Canada the interest is more in possible political consequences than in a novel monetary experiment. Prior to the Social Credit victory in the election last summer Alberta had been for fourteen years under a Farmers' Government. Before that it had always been Liberal. Never since its foundation as a Province has Alberta returned a Conservative majority. Its political tendencies have always been Left Wing. Mr. Aberhart, the Social Credit leader, won the election by promising free dividends of approximately 25 dollars a month for everybody. In the event of the non-fulfilment of the promise where will the Alberta voters turn next ? The Communist Party is expectant.

Mr. Aberhart was born and educated in Ontario, where he gained his degree of M.A. He moved to Alberta, where he was successful as a high school teacher and as an evangelist. He built the Prophetic Bible Institute in Calgary. With the development of radio his popularity and influence were enhanced ; for he is most effective with the microphone, and in Canada, as in the United States, private persons can " buy time " on the radio for advertising and propaganda purposes.

Soon after the great trade depression struck Canada Mr. Aberhart began to include Social Credit in his evangel. He tells us about chancing upon a book by Major Douglas and sitting up half the night to get the new revelation. He preached the Social Credit gospel in Alberta, and the debt-ridden farmers heard it gladly. The government in power was that of the party called the United Farmers of Alberta. It was by no means prejudiced in favour of financial orthodoxy, and

could it have been convinced of the feasibility of Social Credit it would certainly have " beaten Aberhart to it," as we say in Canada. Indeed at this time Mr. Aberhart had not displayed political ambitions. The Farmers' Government investigated Douglasism with all eagerness and engaged Major Douglas for consultation four years ago. It did not, however, find him very helpful, for it did not adopt any Social Credit policy. Mr. Aberhart's advocacy continued to grow in favour and effectiveness, and he emerged as a challenging political factor; for instead of dwelling on the A plus B Theorem he put forward his own scheme of Social Credit in the lucid and business-like form of a promise to pay every adult $25 a month, with somewhat smaller allowances for the younger folk. The Social Credit camp was divided. Douglasites, in and out of Alberta, said Mr. Aberhart had not the true Douglas doctrine. An election being due and Aberhart's following being so great, the Government decided to do something. It again brought Major Douglas to Alberta for consultation, this time giving him a two-year contract as financial adviser, though as events have proved it had no good reason to expect its own continuance in office. The Government's motives in engaging Major Douglas can only be conjectured. Some people are cynical enough to believe that they hoped he would repudiate the Aberhart plan as unsound.

Major Douglas duly arrived, investigated the situation, reported his findings to the Government, gave a few lectures in different Canadian cities, and went back to England. Not every intelligent person feels competent to follow the labyrinthine ways of discussions on the theory of credit, but the average citizen in Canada knows that the issue of money and the control of banking in Canada rest with the Federal Government and not with the Provinces. An obvious question, therefore, has been: how could Alberta institute a credit reform enabling the Provincial Government to hand out to everybody 25 dollars a month ? Newspaper reporters put this and other questions to Major Douglas, and they received answers which will be recognized as characteristic by those who know Major Douglas's writings. He is a master of the arts of

irrelevancy and evasiveness. He will discourse fluently on matters quite independent of any special theories of Social Credit without ever coming to the point of speaking with precision on his own proposals from which readers are led to expect so much. Replying to interviewers in Alberta Major Douglas said : " I am confident that quite effective action towards an ultimately successful conclusion of a social credit plan for Canada will be instituted in Alberta." Presumably this meant no more than that Alberta might give a lead to the Dominion in Social Credit propaganda. Major Douglas was further asked if a single Province under the Canadian Constitution had power to inaugurate Social Credit. " It is a matter of strategy " was the oracle's reply. In his report to the Alberta Government he recommended a Department of Public Relations—which means a publicity office—and a Coalition Government ! He said the first need was to get " access to financial credit which is properly based on the resources and people of the Province." This merely meant borrowing in the old fashioned way from the banks and the Dominion Government, a procedure with which Alberta Governments are thoroughly familiar. All the Provinces of Western Canada have long ago borrowed to the limit of their credit. Not being able to meet their obligations since the onset of the depression, they have sought the assistance of the Dominion Government. Up to July 1 last Alberta had borrowed $17,335,000 from the Dominion. When Mr. Aberhart came into office he found the treasury bare ; there were not even funds to pay civil servants their salaries. In hot haste Mr. Aberhart went to Ottawa and asked Premier Bennett for $18,400,000 to carry Alberta through to the end of the financial year. Premier Bennett obliged him with $2,250,000, sufficient to last until October 1, when another Dominion Premier was in office and had to listen to Alberta's solicitations. Mr. Aberhart is now asking the Dominion to take over an Alberta debt of $200,000,000, his argument being that the substitution of Dominion for Provincial security would enable the interest rate to be reduced from five per cent. to three per cent. The Dominion reply has not yet been given.

Premier Aberhart is now busy about many things in Alberta, as other Premiers have been before him. When the more simple of his followers suggest that only one thing is needful, he turns on them in wrathful contempt. Social Credit has to wait until a number of more urgent problems have been disposed of. Many of his followers are very simple indeed. Before the election they took from his hands this pledge :—

> I pledge to deliver myself out of economic slavery by supporting only candidates at the next election who are rallied to the standard of Mr. Aberhart. I pledge myself to discontinue to listen in any way, shape or form to propaganda, radio or newspaper, which are poisoning our minds and are opposed to Social Credit, and to subscribe to the official Social Credit newspaper. I pledge to put Alberta forever out of the range of poverty amidst plenty.

Political and prayerful speeches continue to be delivered at the Prophetic Bible Institute, and apparently there are still those who have faith that they will see the distribution of Social Credit certificates. But there is murmuring and even threatening. Students of monetary science have no longer any expectation of seeing Alberta, under Mr. Aberhart, as a laboratory for new experiments. It may be interesting, however, to give some quotations from his pamphlet, " Social Credit Manual : Social Credit as applied to the Province of Alberta," to show what he is capable of saying and, presumably, believing. In my quotations I shall be scrupulous not to distort or caricature him. I shall not even select the most amusing parts, but only those which have some sort of resemblance or relationship to Social Credit doctrines more widely held. He begins with the assertion that every citizen should be provided with a proper living, and this can be done in Alberta because " the Canada Year Book, 1933, page 870, gives Alberta the next to the highest place with regard to her wealth per capita. Her total estimated potential wealth is $2,406,000,000, or that is, $3,518 per person."

What the Canada Year Book really gives is an estimate of invested wealth. One of the principal items in this is the railways, not owned by or in Alberta, and in any case the amount of the investment in the railways is no guide to the amount of income available to the people of the Province.

Another item in the wealth is the improvements of the lands and the equipment of the farms. The figures represent the values of 1929. The farmers know to their sorrow that they cannot get to-day one-half the nominal values of 1929. Any social credit dividends that Alberta may be able to distribute must depend on Alberta's productive powers and the selling values of her products. This elementary fact escapes the attention of Mr. Aberhart.

Regarding unemployment and trade depression he says :—

Social Credit points out the three great poisons at the root of the trouble :

(*a*) There is a lack of purchasing power in the hands of the consumer. If one man does the work of three men for the same payment, the two men displaced will have no purchasing power. If a machine does the work of twenty men at the pay of one man, then the twenty men displaced will have no purchasing power.

As the people have no purchasing power, they cannot get the goods that are piled high in the factories and warehouses. Thus there is no need to produce more and the great factories become silent and there is much less purchasing power. So the disease becomes very bad, for we have fallen into the vicious circle.

(*b*) Besides this, the price spread has shown by investigation that wildcat profiteering is going on. This intensifies the trouble by making the purchasing power less efficient. The dollar will not secure as much goods as it formerly did.

(*c*) Finally, the investment of surplus funds leaves the realm of commerce, where huge profits are the aim, and enters the realm of bond investments, where interest is the main consideration.

The above is quoted as a fair example of Mr. Aberhart's writing and thinking. His statements, if true, have no particular relation to a theory of Social Credit, for he gives no clear example of reduction of purchasing power, but only of its displacement or maldistribution. One man gets the pay of three, which is hard on the other two, but the total purchasing power remains the same. A machine owner gets profits instead of workmen getting wages, or a profiteering seller gets an unduly high price at the expense of the buyer : the total of purchasing power may remain constant while its distribution varies, and it is with the total, not the distribution, that Social Credit theories are concerned.

There is no way of adequately describing Mr. Aberhart except letting him speak for himself. Nothing would be more informative to readers than to quote the whole of Mr. Aberhart's pamphlet, but this would take up too much space, and moreover the pamphlet is marked "Copyright." We are told that, "to understand the Social Credit philosophy, it is necessary for the individual to get the language or terms used in Social Credit" and there are "four chief terms." The first is "Cultural Heritage," which means that every citizen has the right to share in the production from the natural resources of the province. The second is "Basic Dividends." "The cultural heritage is made operative by the regular issuance of dividends from month to month sufficient to secure for the individual the bare necessities of food, clothing and shelter. . . . To enable each citizen to secure these bare necessities, each of them will receive a passbook in which at the beginning of each month will be entered the basic dividend for that month, say $25.00." Readers should not fail to notice the corroborative detail and artistic verisimilitude of the pass-books, and the monthly, not weekly or yearly, issuance. There is much of the same sort of artistry throughout the pamphlet.

The third of the Social Credit's chief terms is "Non-negotiable Certificates." "These are blank forms issued to each *bona fide* citizen to enable him to fill in the amount and signature, also the name of the recipient to whom he is transferring the credit. As it is non-negotiable, the person receiving the credit must of necessity deposit it in the bank or Provincial Credit House. When this is done, the issuer is debited in his account and the recipient is credited in his account." In other words the Non-negotiable Certificates are like the books of crossed cheque forms with which banks provide their customers. The only difference is that banks do not enable customers to open an account by first crediting them with basic dividends. The fourth term explained is "Unearned Increment," which is "an increment or increase in price which is not earned by the owner or producer of the goods." Mr. Aberhart has more to say, but he totally fails to explain himself and it is best to say that he regards unearned increment as any excess over a just price. We shall have something to say about a just price.

Having described the " three chief poisons " and explained the "four chief terms," Mr. Aberhart gives the " three factors " of the Social Credit Plan. The first factor is the payment of Basic Dividends of approximately $25 a month. The second factor is " an automatic price control system to fix a Just Price at which goods and services will be available."

Periodically a commission of our best experts from every sphere of life will be assembled for the purpose of deciding upon a fair and just price for all goods and services used in the Province. This price must give the producer, importer or distributor, a fair commission on turnover, and, at the same time, must not exploit the purchasing power of the consumer. Excessive profit will thus be eliminated. To help make consumption balance and control production a compensating price will be declared from time to time. This compensating price will be fixed according to the following formula :—

$$\text{Market Price} = \frac{\text{Total Consumption}}{\text{Total Production}} \times \text{Just Price}$$

The difference between the Just Price and the compensating price will be made up to the retailer or consumer much in the same way that the basic dividends are issued and recovered.

" Automatic " price control means price-fixing by commissions of experts ! Belligerent countries during the World War and after had some experience of such price-fixing, not for " all goods and services " but for a comparative few. Similar efforts were a feature of the N.R.A. codes in the United States. The results have never been wholly encouraging. Mr. Aberhart abruptly introduces a concept of " compensating price " with the function of making consumption balance and control production. We can only guess what he means by this. The ordinary economic theory is that market price is the price at which demand and supply are in equilibrium. Other things being equal, production rises and falls with price. Mr. Aberhart gives a formula for fixing the compensating price. The formula is nothing but an assumed equation between just price and market price. There is no place in it for compensating price. The formula is simply meaningless, and we are left in the dark as to the determination and operation of compensating price. The last sentence quoted above causes

more bewilderment. Something is to be paid to retailer or consumer. Apparently it is immaterial which of them receives the payment. The payment is neither the just price nor the compensating price, but the difference between these two prices. Mr. Aberhart explains the payment of the compensating difference as being made in the same way as the issue of the Basic Dividends, but he has not yet explained their issue. This he never does in a consecutive manner, but by piecing together statements in different parts of the pamphlet we get something like a scheme. We have mentioned above the first and second of the " three factors " of the Social Credit plan. The third factor is as follows :—

Provision for Continuous Circulation of Credit (Not Money)

Credit is the life blood of the state or community. Under no circumstances must it be allowed to stop its flow. All basic dividend credit and all salaries or wages or incomes from whatever source must be expended by the end of the year following the receipt of the same. To encourage individual enterprise and to enable the individual to provide more adequately for the future, surplus credit may be used to purchase Government Bonds, maturing at a later date, for himself or another. All producers will be allowed temporary, supervised credit to enable them to serve the citizenship in the best possible way. Directions should be given from time to time as to the products most needed. In order that credit may be adequate to provide and distribute goods, the state must be prepared to issue credit without interest to bona fide producers and distributors. This will prevent hoarding for the sake of making high interest.

We are never told how Alberta Social Credit is to take the place of Dominion of Canada money in regard to " salaries or wages or incomes from whatever source." We need only note without comment the proposed compulsion to spend all income within a short time of receipt. Not that any compulsion would be needed for recipients to spend Alberta credits at the first possible moment. There would be haste to spend them while the spending was good. Here in Canada, outside Alberta, the proposal is merely regarded as a joke.

The most vital part of Mr. Aberhart's pamphlet comes in a sort of appendix headed " Questions and Answers," especially in answer to a question whether the issuance of Basic Dividends

will not sink the province in enormous debt. I must give Mr. Aberhart's answer in full :—

The scientific system of recovery through the cycle of credit will have to be introduced at the same time that the Basic Dividends are issued. This must not be a gigantic scheme of taxation. It has been called to the attention of the public that there is an enormous spread in price between the producer's cost and the consumer's price. It is the intention under the Social Credit system to reduce this spread, increasing the producer's cost so that he may have a fair turnover if it is not at present adequate, or reducing it if it is too high. The same procedure will be followed all the way through in the marketing or processing of the goods. On account of the increased turnover that will be produced by the augmented purchasing power through dividends, salaries, commissions and so forth, it is felt that the producer and distributor will be able to carry on their business with a closer margin of profit or commission on turnover. Thus the Province will be able to collect a levy that will provide the basic dividends to distribute to the various citizens. To illustrate this let us take a bushel of wheat (say) at a just price of sixty cents. Fifty-five cents of this is to go to the farmer and will provide a fair commission on his turnover. Five cents will be set aside for the Government Levy. The wheat is sold to the miller who grinds it into flour. We will suppose the flour sells for $1.10, ten cents of which is again given to the Government as its levy. The flour is next turned to the baker, who makes it into bread which he sells at seven cents a loaf. The forty pounds of flour with the water and other ingredients would make fifty loaves of bread. Suppose the Government Levy on this bread was a cent a loaf. That would give an additional fifty cents levy. Thus from a bushel of wheat, processing it to flour, the Government would be able to collect possibly sixty-five cents. This will apply also to other goods processed or marketed in the Province.

It must be remarked that Mr. Aberhart is incorrect in speaking as if the 65 cents tax came from the bushel of wheat. It comes from the fifty loaves of bread. The bread bears the tax not only on the loaf but on the flour and the wheat ; 18½ per cent. of the price of bread represents tax. We are entitled to assume that bread is not going to be taxed more heavily than other commodities ; it therefore follows that Mr. Aberhart proposes to take at least 18½ per cent. of all private expenditures in extra taxation to provide funds for the Basic Dividends. Comment is unnecessary. The quotation is continued without a break :—

Now the amount of dividend required will depend on the rapidity

of the flow of goods and credit within the Province. I am told on good authority that the town of Vermilion did $8,000 of business with $1,000 of post-dated cheques in four months. That is a circulation of twice a month. If the circulation in the Province was only once a month, we would have to recover ten million dollars only to carry on the full issuance of the basic dollars as long as they remained at $25 a month. Four hundred thousand people at $25 a month would amount to $120,000,000 a year. If the cycle was once a month, ten million dollars worth of credit would handle it all. If it was twice a month as in the town of Vermilion, five million dollars worth of credit would handle it. This problem would be carefully gone into by experts.

There is no problem whatever. The plain fact is that to pay out ten million dollars a month in Basic Dividends the Government will have to raise ten million dollars a month by taxation. The verbiage about circulation and cycle and rapidity of flow has suggested to some dupes that the ten millions raised by taxation the first month can be recovered and used over again every month, so that it is $120 millions in twelve months. In this *suggestio falsi* is the whole secret of the Aberhart trick. Probably he was honestly deceived himself when he wrote his pamphlet, for he is not an acute reasoner. But everyone should know that the negotiation of $8,000 worth of business with $1,000 of cheques has no more significance than a pound note changing hands eight times in the course of a day and thus effecting £8 worth of business. The first payer of the £1 only gets £1 value for it. The pound never comes back to him again except for £1 value. The Alberta Government, when it pays out $25, has lost it beyond recovery unless it gets it back by taxation. As soon as it is understood that Social Credit on the Aberhart plan merely means taxing the people first to pay them back afterwards it loses all its attractiveness. In the part of Canada where I live Mr. Aberhart now is only a joke. Judging by the press, many who voted for him in Alberta are seriously angry. Readers may watch the newspapers for further developments.

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Part VI

THE last two years of Archbishop FitzRalph's residence in his native diocese are marked by a vigorous effort at reform, which is countered and effectively checked by a no less vigorous resistance on the part of his diocesan subjects. The story of this effort and counter-effort must be pieced together almost entirely from the evidence of the Archbishop's sermon-diary; and we are constantly made to feel the loss of his episcopal register, which we must presume him to have kept. We know, for example, that he held two Provincial Councils during his pontificate; the Synod of February 1352, of which we have already spoken; and the Synod of February 1355, which marks the opening of the final phase of his activities in Ireland. Of the former Synod we know no more than the brief notes of a sermon which the Archbishop preached to the assembled prelates at the opening of their sessions. Of the later Synod we know more; for the Archbishop, once its sessions were completed, went on a tour of his own diocese and the neighbouring diocese of Meath, everywhere preaching against those abuses which the Synod had sought to remedy by its legislation. But we have no evidence as to the number of prelates who attended these two Councils. Was any diocese represented apart from the two northern dioceses whose territory lay, at least in part, within the English Pale? Who are the *prelati minores et maiores* to whom the Archbishop addresses some of his most urgent admonitions? Were other statutes passed apart from those of which mention is made in the Archbishop's sermons for 1355 and 1356? These are only some of the questions to which we would gladly give an answer, were our evidence more satisfactory.

Then again, every student of this period must deplore the loss of any authentic statement of the grievances of the Anglo-Irish Franciscans in their struggle against the Archbishop's assertive policy. In the later phases of the controversy between FitzRalph and the Mendicant Friars, Brother Roger Conwey, Minister Provincial of the Franciscans in England, is their chief spokesman ; and we have no difficulty in tracing the origins of the quarrel so far as it affects the English Friars. But what exactly happened here in Ireland ? Three hundred years after the event Luke Wadding, writing his Annals of the Franciscan Order, gives a curious account of the origins of the quarrel. The Archbishop, he says, caused trouble of more than one kind to the brethren of the convents of Armagh and Drogheda, and attempted to carry off some ornament that was kept in the latter convent to his own palace. But the Mayor of the town (*urbis praetor*), who belonged to the Bathe family, hindered him in this act of violence and insisted on the rights of the Friars. Owing to his irritation at this incident the Archbishop began his campaign against the privileges of the exempt religious orders, which ended in his summons to Avignon. Such is the story as Luke Wadding tells it, and the late Father E. FitzMaurice, O.F.M., or his fellow-editor Dr. A. G. Little suggests in a footnote to this passage that Wadding must have got his story from the *Nitela Franciscanae Religionis* which an Irish Franciscan, Fr. Dermitius Thadaei, published at Lyons in 1621.[1] That does not carry us back much nearer to the actual date of the struggle between FitzRalph and the Franciscans of Drogheda ; and we can only conjecture that Luke Wadding's story must be founded on some local tradition, more or less accurate, of the episode as it was remembered by the Friars of Drogheda some three hundred years after the event. One thing at least is certain. There can be no question of the Drogheda incident, whatever may have been its exact nature, being the main cause of the quarrel between the Primate and the Friars. As early as the summer of 1350, FitzRalph

[1] FitzMaurice and Little : *The Franciscan Province of Ireland*, p. 146 ; the passage in Luke Wadding's Annals is at VIII, 127.

had delivered a formal *Proposicio* on the privileges of the Mendicant Orders before the papal curia at Avignon; and our analysis of the evidence of his sermon-diary during the years 1354, 1355 and 1356 will show that the issues at stake between himself and the Friars were concerned with matters of very much greater importance than the ownership of some ornament or relic in the Franciscan church at Drogheda. The Archbishop, rightly or wrongly, had set about the work of reforming his diocese; and he found himself seriously hampered in his work by the deliberate opposition of the exempt religious in his diocese. How this came about, and what the sequel was, must now be told as far as possible in the Archbishop's own words.

The first allusion in the sermon-diary to the Archbishop's difficulties with the Friars comes from the sermon for Ash Wednesday which we have found reason to place within a few days of FitzRalph's interview with the pilgrim George of Hungary. In this sermon, which we have dated to February 26, 1354, the Archbishop finds it necessary to speak on the need of satisfaction and restitution as a condition for absolution: *vnde dampnant se confessores religiosi si qui sunt et alij qui receptis paucis denariis non inducta restitucione hominem de furto aut de vsura aut de iniusto lucro proximi absolucionem impendunt.* We have here a complaint that is constant in the sermons of the next two years. The Friars evidently took a more lenient view as to their obligation of exacting full restitution than the Archbishop; and we may easily conjecture that their view was based on a wider experience of local conditions. But the Archbishop was always a champion of a rigorous moral theology; and he had evidently persuaded himself that the Friars were yielding to the temptation of courting favour from the well-to-do by granting them absolution on easy terms. This charge recurs more than once in the later sermons.

The next sermon in the diary is no more than a short note of a sermon preached at Trim (his nephew's rectory), on May 18, 1354; and a sermon preached at Athboy for the first Sunday of Advent, November 30, 1354, suggests that the Primate spent a good part of this year in the diocese of Meath. Meanwhile he must have been pushing forward his preparations

for the second Provincial Council of Drogheda, which he formally opened with a Latin discourse on February 5, 1355. Taking as his text the words of Nehemias, *Mundati sunt sacerdotes et levite et mundauerunt populum*, he reminds his priests of their duty concerning the holiness of their own lives, but abstains from the vigorous denunciation of prevalent abuses which had marked his opening sermon at the Synod of 1352. The sermon has little to say about practical details, though the Primate concludes his address with a brief reminder of the abuses he had already denounced : *sunt enim inter illos luxuriosi, sunt alij ebriosi, sunt quidam pigri, sunt alij laicis nimis conformes, sunt alij minus hospitales.* They are the common faults which must always go with human frailty. But the Archbishop adds to his list a clause which is aimed directly at the Mendicant Friars : *sunt quidam vsurpatores atque raptores .s. mendicantes exempti qui decimas terrarum vsurpant.* That the Friars should have laid formal claim to the tithes due from landed property is incredible ; but we may guess that the Archbishop is complaining either of some dispute as to the ownership of certain lands, or else the ease with which the Friars were dispensing their penitents from the duty of tithe-paying to the immediate loss of the diocesan revenues. This insistence on the importance of tithe-paying may seem to us importunate ; but we must remember that FitzRalph had succeeded to an archbishopric which had been practically beggared through the rapacity of English local officials in the first three decades of the century. His immediate predecessors had been compelled to make constant complaints to the English government as to their financial difficulties. Archbishop FitzRalph was successful in meeting some of these difficulties by an exchange of some of the diocesan landed properties, with the consent of his Chapter and the special licence of the Pope.[1] But he evidently believed that the laity, and especially the merchants of Drogheda, were not doing their duty in the support of the Church, and we have seen that he had not hesitated to provoke a crisis by laying the town of Drogheda under an interdict for this reason in 1353.

[1] *Calendar of Papal Petitions* I, p. 206 ; *Cal. Papal Letters*, III, p. 398.

One other passage in this sermon is of value as showing that FitzRalph had not lost his interest in the ecclesiastical studies of his clergy. Speaking of the priest's duty to know and understand the law of God, he reminds his hearers of the words of Malachy: *labia sacerdotis custodient scienciam.* The Archbishop warns his priests that their guardianship of God's word must not be like the book-knowledge of students who depend on their notebooks for what they know: *non quod habent sicut docentes per quaternos et cedulas aliorum.* These notebooks and written texts had been familiar to the Archbishop in his student-days; but a priest must be master of God's revealed truth in a more personal sense. He is the ambassador of God to men, and an ambassador is in a sorry plight if he is ignorant of the message he must carry. Hence the guilt of those, whether they be prelates or simple parish priests, who neglect this duty; and he quotes for the benefit of his clergy the example of his former patron, Pope Benedict XII, who made provision in his own Cistercian Order that some should be sent to study theology at the common expense and for the common good: *sicut dominus Benedictus papa xii. prouidit quo ad ordinem suum quod aliqui pro suis collegiis instruendis theologiam communibus expensis audirent.* Not that FitzRalph made the mistake of believing that a theological degree is the best qualification for a priestly life. In an earlier sermon of the Avignon period, preaching on the feast of St. Thomas Becket, his ideal prelate, he corrects that error: *Non autem sic ista accipio vt dicam quod quilibet prelatus debeat esse doctor in theologia, quoniam multos noui apciores ad docendum populum qui sunt simplicis intelligencie in scripturis multis theologie doctoribus.* None-the-less, the duty of study remains; and in a sermon which FitzRalph preached to the people of Dundalk two or three weeks after this Provincial Council he insists most strongly on this very point. Those who take on the burden of a clerical life without proper learning sin grievously: *peccant mortaliter nec tollitur culpa quamdiu durat ignorancia.* Hence his appeal to the Council that they should pass some statute making adequate provision for these priestly studies.

Having thus outlined the reforms which he thinks necessary

for the priesthood of his own diocese, FitzRalph gives a programme of action for the Synod in all that relates to the well-being of the diocese as a whole. If the priests, he says, are to cleanse others, statutes must be passed by the Synod against the plagues that afflict the people of Armagh : *sunt enim in populo multi vsurarii, sunt multi falsidici, sunt multi ecclesie et clericis maliciose infesti : sunt alii improbe decimantes, sunt plurimi aliquos pro debitis impie arrestantes, et sunt multi testamenta hibernicorum et eciam mulierum contra statutum domini regis et dei iusticiam cohibentes.* This enumeration of the prevailing sins of the diocese is of interest, for it reflects the predominantly business-interests of these English merchant-folk of the Pale.

At the end of the sermon which the Archbishop delivered before the Synod of Drogheda, he seems to have devoted special attention to the perjurers and false witnesses of the city : *et fiebat prosecucio de falsidicis assisariis et testibus falsis qui munus recipiunt.* Some three weeks later (February 22, 1355) he preached in Dundalk, and devoted special attention to the new statutes of the Synod concerning the priesthood and the laity. Having repeated the denunciation of clerical failings which we have already noted from the Drogheda sermon, he adds a warning which shows that appropriate legislation had been passed : *vnde fuerant contra curatos statuta edita in prouinciali consilio vltimo celebrato.* The Archbishop then turns to the laity as also ministers of God, and distinguishes four classes among them : tradesmen (*mercatores*), artisans (*artifices*), common labourers (*laborantes*) and idle hangers-on (*ociosi satellites*). His complaints against them are under various heads. They are remiss in the payment of their tithes or pay them at inconvenient times to the loss of the church. But they are also guilty of usury towards their neighbours, and the Archbishop is here at pains to show the nature of their guilt. Many of them, he says, lend money under the pretext of buying rents for a fixed number of years ; and their usury is proved by the fact that the price they pay for the right to these rents is less by a third or a quarter than the true price. To the argument that this is not a loan, but a

purchase, the Archbishop replies that it is plainly no more than a disguised loan. For the transfer of ownership depends on the will of the owner, who here plainly means no more than to surrender his right to the rents for a fixed number of years in return for ready cash : *et ob hoc non magis receditur ibi a mutuo quam si recipiens mutuum suum balliuum aut alium de suis assignaret vt tales summe illi concedenti mutuum per eum talibus statutis temporibus soluerentur : que causa esset clara vsura.* The Archbishop is here attacking a practice which was to become a recognised means of evading the Church's legislation on usury during the later Middle Ages.

Two days later the Archbishop preached at Ardee on the feast of St. Matthias, February 24, 1355. In this sermon he administers a sharp rebuke to those who seek to gain admission to the clerical state either by the open purchase of titles or by the promise of Masses to be said for those who granted the title or by a promise under oath that they would ask no alms or dues as priests from those who granted the titles. There follows a repetition of the warnings which he had already given at Drogheda and Dundalk against those who failed in their duty of tithe-paying and those who were guilty of usury : *contra quos statuta edidimus.* And a new charge is now brought against those who seek to hinder the work of ecclesiastical judges in defiance of the Church's legislation. Finally the Archbishop attacks those who seek to prevent women or Irishmen from making wills freely : *contra quos facta erant statuta in precedenti parum ante in concilio generali.*

From Ardee the Archbishop returned to Drogheda, where he preached for the third Sunday in Lent, March 8, and again for Mid-Lent, March 15, 1355. The notes of the former sermon are very brief, and show that FitzRalph was most concerned to expound his favourite doctrine that tithes are an acknowledgment of God's dominion over man. There is also a further development of the theme about usury as practised by the people of the city. In the second of these two Drogheda sermons the chief attack is on those who hoard their wealth in this life and seek to escape the penalties due to avarice by large bequests to be made after their death. The Archbishop

was always angered by this form of cupidity, and is never weary of insisting that a man owes a duty to the poor in this life, to whom he is bound under pain of mortal sin to distribute alms from his superfluous wealth. Even the claims of the dead man's sons and daughters meet with little sympathy from the Archbishop, who is quick to detect a form of pride in the wish to have one's name well-spoken of after death : *fuit probatum quod auarus non principaliter seruat diuicias propter illos* (*sc. filios et filias*) *set vt in ore hominum viuat post mortem et non vituperetur ab eis propter indigenciam prolis sue.* And the sermon ends with a reminder that such sins require satisfaction as well as confession and absolution.

This group of Lenten sermons is followed by a second group preached in the months of April, May and June, but with a similar reference to the work of the Synod. The Archbishop seems to have thought this a suitable occasion for a visitation of the diocese of Meath, and we find him preaching at Trim (his nephew's rectory) on the fourth Sunday after Easter, April 26, 1355. The sermon is noted in his diary as *in visitacione*, but for the most part it is no more than an exposition of the text : *Tristicia vestra vertetur in gaudium*, with a long explanation of the causes why God visits those He most loves with sorrows and trials. But there is a characteristically practical application of this doctrine to those who are guilty of fraud by taking unfair advantage of the letter of the law. A tenant, for example, withholds his rent, because he knows that his lord has lost the original deed by which he can prove his title in law. The Archbishop maintains that such trickery has no relation to the true fact of ownership : the tenant is *possessor male fidei* and is bound to restitution. And the Archbishop adds in his diary : *et ibi fuerant alia multa dicta de falsidicis et de pena eorum.*

At this point, as we happen to know from another source, the Archbishop's visitation of the diocese of Meath was rudely interrupted. Word had come to the Justiciar (Sir Thomas Rokeby) near Dublin that Odo (Aodh) O'Neill was moving on Dundalk with a large army : *ad tractandum cum Anglicis super datis dampnis hinc et inde, et ad invadendum forsitan hostiliter*

nisi dictos Anglicos paratos inveniat. The Justiciar was kept busy elsewhere and could not move northwards to the defence of Louth : hence an urgent order, dated from Kildroght on April 28, two days after this sermon at Trim. The Archbishop is stated to be actually visiting the diocese of Meath ; but he is to set aside all other work and go at once to Dundalk, where he is to treat with O'Neill. Orders are given at the same time to the bishop and clergy of Meath that the visitation is not to be regarded as interrupted by this sudden departure : they are to be ready to receive the Archbishop *in eo statu quo recesserit.* If FitzRalph gave heed to this order—and it is couched in the most urgent terms—he must have got through his business with O'Neill in a very brief interview ; for we find him preaching at Kells on May 14, for the feast of the Ascension ; and at Greenock, on the very borders of the diocese of Dublin, for the Sunday within the octave of Corpus Christi, June 7, 1355. This series of the Meath visitation is concluded with a sermon at Skreen, then a rural deanery, preached for the third Sunday after Trinity, June 21, 1355. From these dates it would seem more probable that the Archbishop succeeded in postponing his commission until the end of the visitation. He was not the man to set aside ecclesiastical business at the bidding of a secular officer.

The only one of these Meath sermons which gives us an insight into local conditions is the sermon at Skreen, which was evidently a trade-centre of some importance. Taking as his text the words of St. Luke, *Erant appropinquantes ad Ihesum publicani,* the Archbishop applies the gospel to those who "in this deanery of Skreen" may be considered as corresponding to the publicans of the Gospel story : they are the usurers, the perjurers and a third class of sinners whom he describes as *receptores furtorum et furum tanquam collectores tolneti dyaboli*—the devil's toll-collectors. A week later the last sermon of this group gives us an even more vivid glimpse of the social life of these Anglo-Irish towns. Preaching at Drogheda on the fourth Sunday after Trinity (June 28) the Archbishop develops his favourite theme of our total dependence on God's dominion as opposed to the vain things of this

world. The notes of this sermon are for the most part concerned with general considerations ; but towards the end, as so often, the sermon suddenly takes a practical turn. The Archbishop has hitherto said nothing of the guilds or confraternities that were so characteristic of medieval town-life. That they were open to criticism is now unexpectedly revealed : *fuit hic descensum specialiter ad confraternitates ciuitatis de Drogheda probando quod fuerant illicite in primo ingressu in progressu et in egressu.* Some of the Archbishop's grounds for complaint are trivial enough ; but his first complaint reveals the strongly-organised English colony in a characteristic aspect. The guilds are unlawful, the Archbishop argues, because their members take an oath to exclude a certain nation—and that is contrary to the law of charity. *Contra legem dileccionis proximi sub iuramento certam nacionem excludunt :* there can be no doubt as to the nation that is thus excluded from the trade-privileges of the town. FitzRalph has already protested against the doctrine that an Irishman can be lawfully killed, and against the many fraudulent practices by which the Englishry of Co. Louth sought to oust the native Irish from their holdings. Here then is proof that these oath-bound confraternities were deliberately organised from the first to exclude the native Irish from their trade-guilds. Small wonder that the Archbishop, who refused to yield an iota of the law of charity in its most practical applications, takes offence at this set policy. It is perhaps a pity (but it is at least more picturesque) that he should also complain of their social gatherings. They bind their members to much feasting, he complains : *ad festum siue conuiuium eos artant.* And they waste large sums of money on the wax-candles which they carry in procession, when the money might have been spent more profitably for the good of the poor : *cereos superuacue per plateas inaniter et supersticiose consumunt de quorum pecunia possent multis pauperibus subuenire.* Finally, their members are expected to make a handsome donation to the funds of the confraternity, and in this way many are distracted from their duties of alms-giving. FitzRalph must at least get the credit of recognising that a picturesque semi-

religious guild is not always as beneficent as its members claim. The rest of his sermon is devoted to a stern denunciation of the vice of avarice. Plainly the Archbishop was convinced that here lay the besetting sin of his people, and he loses no opportunity of stirring their consciences.

No sermon is recorded in the Archbishop's diary for the Advent of 1355, and we must assume that his commission as peacemaker with O'Neill kept him busy at this season. Certainly the Archbishop's silence was not due to lack of cause for complaint, as is proved by the last four sermons of the Irish section of his diary, which form a group by themselves, immediately before his departure for England in the summer of 1356. The first of these four sermons was preached at Dundalk for Mid-Lent Sunday, April 3, 1356. It opens with an instruction on the need of contrition and full confession for pardon of our sins; and practical application of the doctrine is soon made. Having denounced all those who act as receivers and harbourers of thieves, those who are guilty of robbery and murder in time of peace, he makes open allusion to the recent negotiations: *quo ad facientes guerras pro furtis aut rapinis siue incendiis auctoritate propria sine consensu eorum qui pacem fecerunt, et quo ad excusantes se cum confitentur quod progenitores sui ita fecerunt et quod probi viri et docti eos sic impune facere instruxerunt.* It will be obvious to the reader that the abuses which the Archbishop is here attacking are different from the offences against ordinary social life which he has been criticising in the sermons of the past four years. Once more, as in the spring of 1349, his complaint is of breaches against the peace and of the everlasting feud between the two nations of his diocese. And he complains that these breaches have been committed *sine consensu eorum qui pacem fecerunt:* if peace had been made, it is a fair conjecture that the terms of peace had been the fruit of his own negotiations with O'Neill. In the *Annals of the Four Masters* and in the *Annals of Clonmacnoise* mention is made of a great defeat which Aodh O'Neill suffered at the hands of Aodh Buidhe O'Neill and the English of Dundalk in the year 1354. The Justiciar's urgent message to the Archbishop in the early summer of 1355 shows that O'Neill was preparing either

to take the offensive again or to treat for terms *super datis dampnis hinc et inde ;* and the Archbishop's denunciation of those who were guilty of rapine or arson or murder in his diocese shows that O'Neill had just cause for complaint. But the Archbishop was evidently finding the peacemaker's task no easy one. Confessors whom he describes as *probi viri et docti* were telling their penitents that they could continue these practices with an easy conscience (*impune*) ; and the Archbishop finds it necessary to answer this form of excuse. *Talis instructor*, he says, *aut est extraneus aut auctoritatem habens : et hoc potest fieri dupliciter, aut quia est ordinarius taliter delinquentis aut quia habet facultatem ex priuilegio forsitan procurato.* If the confessor is a stranger, the Archbishop holds that his advice lacks authority as compared with the duly appointed ordinary of the diocese, who bears responsibility for the care of souls. There are, however, others whose consciences do not trouble them at all, but who hold that they are justified in the use of violence according to the law of the border and the customs of their forefathers : *reputant se recte egisse sequentes legem marchie et modum faciendi progenitorum suorum.* Such an evil-doer is invincibly ignorant ; but his ignorance is the cause of his undoing : *habet ignoranciam inuincibilem et est in via perdicionis sicut omnes infideles.* The most that the Archbishop will concede is that his sufferings in Hell will be less severe than the sufferings of those who have sinned against the clear dictates of conscience. And his instruction to all such wrongdoers is that they should consult the authorised confessors of the diocese. *Si vero talis sequens legem marchie siue dyaboli habet consilium de suo prelato, si hesitat, ad superiorem recurrat, donec veniatur ad superiorem saltem in partibus : et si consilio eius quieuerit saluus erit.*

It will be seen that the Archbishop is here plainly aware that his public instructions have raised doubts of conscience and that two opinions are held in the diocese. Those who questioned his authority took their stand on the law of the border (*lex marchie*), and argued that the law had always permitted such acts of violence in a land where force was the main security of property and life. FitzRalph's answer is the

answer which he has made in other disputes of this kind : the law must tolerate evils for the sake of compromise, but the evil is not less evil in the sight of God. Prostitutes, he argues, are permitted by the law ; but their life is no less sinful for that. And the law of the border cannot abrogate God's law of charity. Nor can peace be maintained if the punishment of private wrong is to be left to the individual sufferer : *Unde singulares persone sicut non possunt pacem communem statuere sic nec eam possunt dissoluere quamuis transgredi eam possint.* And he ends with a pointed thrust : *unde sunt merito puniendi sicut leges transgressores pacis statuunt puniendos, eos suspendendo non ad litteram set ad lignum.*

This sermon for Mid-Lent at Dundalk was followed by another at Termonfechin for Passion Sunday on the text : *Qui est a Deo verba Dei audit.* The Archbishop once more insists on the strict obligation of the law of charity, and repeats some of the instructions he had given at Dundalk as to doubtful cases. One reminiscence of his early days as a student in Paris is worth noting for the light that it throws on the social life of the time. The Archbishop has been explaining the common Catholic doctrine that in time of extreme necessity private property loses its claim as against the common good : *quia in tali tempore sunt cuncta communia.* He then recounts what he had heard in Paris : that a beggar, if caught in the act of stealing, had his pockets searched. If he was found with money sufficient to buy the bread he had stolen, he was promptly hanged. But if he was found to be penniless, he went scot-free. The justice of those days was rough and ready, but it was not lacking in human kindliness.

A week later, on Palm Sunday, the Archbishop preached his last sermon in Drogheda. Owing to the length of the morning's ceremonies and the large number present at the sermon (*propter prolixitatem officii et pluralitatem laicorum presencium et multitudinem populi*) the formal introduction or ante-theme is omitted, and the preacher passes to the development of his text : *Humiliauit semetipsum factus obediens usque ad mortem.* That the text was chosen with an eye to the Archbishop's recent difficulties is obvious from the start ; but

the practical application is long in coming. Having spoken at length of Christ's obedience, of the example He has given us, and of the punishments inflicted by God for sins of disobedience, the preacher comes to the topic that must have been uppermost in the minds of his crowded congregation. Those who are bound by God's commandment may not dispense themselves by their own authority nor on the advice of those who lack authority. The meaning was obvious to all present, and the Archbishop goes on to give a practical rule of guidance. They are not to be led astray by their own opinion or the opinion of any layman or cleric, secular or regular, who may excuse murder or theft or the non-payment of tithes in any form (*feni siue glebarum aut cuiuscumque generis herbarum aut olerum*). Justice and charity are to be their rule in life, and in any doubt or hesitation they are to seek advice, first from the local chaplain, then from the vicar, the rector, the archdeacon, the bishop, and finally (if need arises) the Archbishop. These they can trust implicitly (*illis poteritis sancte fidem credulam adhibere*); for they are bound to lay down their lives, if necessary, for the souls entrusted to their care. It is the old ever-recurring problem of the relation between parochial or diocesan jurisdiction and the extra-diocesan activity of exempt religious.

These three sermons are the best possible commentary on a famous passage of the *Defensorium Curatorum*, which is often quoted without proper knowledge of the facts as to FitzRalph's activities in the diocese of Armagh. Speaking in full Consistory before Pope Innocent VI on November 8, 1357, FitzRalph complains with some bitterness that in his own diocese there were thousands whom he had excommunicated for various sins, and who both sought and obtained absolution from the Friars without any reference to himself or his diocesan clergy. "I have," he says, "in my diocese of Armagh, so far as I can reckon, two thousand subjects who every year are involved in sentences of excommunication by reason of the sentences I have decreed against deliberate murderers, public robbers, incendiaries and suchlike; and of all these scarce forty a year come to me or my penitenciaries; and yet all

these receive the sacraments as other men, and are absolved or are said to be absolved; and they are believed to have been absolved by the Friars beyond doubt, for there are no others to absolve them." Like most medieval writers and preachers, Archbishop FitzRalph uses figures in a singularly loose manner, and it would be a mistake to take the figure of two thousand as in any way representing a careful statistical survey of his diocese. But it is plain that the number of such penitents must have been very large, and the contrast between the Archbishop's drastic penalties and the indulgence of the Friars in granting them absolution accounts for the Archbishop's growing irritation and sense of injustice. How far the Archbishop had allowed his zeal to outrun his discretion, and how far the Friars were justified in their open toleration of existing conditions, cannot be decided at this distance of time. It is sufficient for our purpose to state the issues at stake in this controversy and to leave the final judgment to a tribunal which alone has competence to pass judgment on the conscience of man. In his *Defensorium Curatorum* Archbishop FitzRalph chose a striking text which is a constantly recurring refrain throughout his famous plea: *Nolite iudicare secundum faciem, set iustum iudicium iudicate.* We may well leave it at that.

FitzRalph must have felt that a crisis had come in his career, and he decided once more to cross over to England—with what immediate purpose is not clear. He had by now completed the seven books of his dialogue *De Pauperie Saluatoris*, which he had begun at Avignon in 1350, and had continued in Ireland, as he says in his preface, *inter fluctus pastoralis officij sine intermissione in partibus Hybernie inundantes.* According to his own story (and we have no just reason for suspecting its truth) he went to London on business connected with his diocese; and we do in fact know that he was able at this period to gain the King's formal consent to those exchanges of landed property which he had proposed to the Pope in 1350, and which were to prove beneficial to the archdiocese in his successor's pontificate.[1] But he must have

[1] *Cal. Patent Rolls* (1354–58), p. 423; *Calendar of Archbishop Sweteman's Register* (ed. Lawlor), pp. 244; 264–6.

known that a storm was brewing between himself and the Friars. The subject-matter of the four famous sermons which he preached at St. Paul's Cross in London during the winter and spring of 1356–57 is to be found in the *De Pauperie Salvatoris*, which he brought with him in manuscript from Ireland. Once those sermons were preached at the invitation of some London friends, there could be only one end to the controversy : an appeal to the papal curia at Avignon. We may here leave the story of the Archbishop's career, noting only the report he has left us of a *Collacio breuis* or familiar instruction which he delivered to his household—*in sua capella ad suam familiam*, presumably at his manor of Dromiskin—on Easter Sunday morning, April 24, 1356. Taking as his text St. Paul's words, *Sitis nova conspersio*, he exhorts his hearers in simple language to aim at true purity of life, casting aside all filth of sin and seeking absolution after humble confession. Men are more eager, he complains, to look for a hen or a goose or a sheep they have lost than to seek out God's grace which they have lost in mortal sin. *Sitis nova conspersio*, he keeps repeating. " That ye may be a new lump," says the Authorised Version : " that ye may be a new paste " or " a new mass," say the Douai and Rheims versions. One would like to know what old English word the Archbishop used to express St. Paul's thought. His last words are of clean-living and final perseverance, that they may all receive the imperishable crown which God in His mercy and power will give to us in life everlasting. They are words of peace and comfort ; but they are a prelude to the stormiest episode in Archbishop FitzRalph's long and troubled life.

Aubrey Gwynn

UGANDA CALLS TO IRELAND

BY V. M. CRAWFORD

WE are far from the days when missionary activity, whether Catholic or Protestant, was accepted as a purely spiritual enterprise in which governments had no concern. More and more the fact is appreciated that it offers an essential feature of the pressing problems of mandates and protectorates over non-Christian tribes and peoples which, as far as Africa is concerned, have been brought to the fore by the Italo-Abyssinian war. A growing number of persons, both at home and abroad,[1] are disturbed in their minds as to the methods by which so-called civilisation is being imposed on coloured races, methods which include compulsory military service, forced labour, injurious taxation, the destruction of tribal organisation—often of considerable value, and with nothing to take its place—together with the sale to natives of alcohol and opiates. Some or all of these evils, in varying degrees, may be found in all tropical countries taken over by European governments as outlets for their surplus population as well as for the cheap acquisition of valuable raw products and, in a general way, for their own national aggrandisement. It is against this material conception of colonial development, as well as against the inherent evils of heathendom, that the true missionary has to contend. Only too frequently, in the past, the European trader has proved a most undesirable representative of Christian civilisation. And if, as many of us hope, a system of responsible mandates, carried out primarily in the interests of the natives themselves, comes to replace irresponsible colonial conquest, the task of the missionary should be incalculably lightened.

In a recent article in STUDIES (Dec. 1935) Professor M. Tierney has emphasised that what the native of Africa needs

[1] See *Esprit*, December 1935; also *La Vie Intellectuelle*, Feb. 10, 1935.

above all is evangelisation, education and sanitation. In its practical aspects the work of the missionary could not be summed up in better terms. For however well governments may lay the necessary foundations, it is only through the voluntary and self-sacrificing labours of the missionary that old heathen habits and ways of thought can be permanently eliminated. For this women missionaries, equipped with the needful qualifications, as well as priests, are absolutely essential. They alone can reach the native women and children, and a civilisation that leaves the wife and the mother as a drag on the educated male Christian is bound to be at least a partial failure. Indeed for all that concerns family life it is mainly to the woman that one must look for co-operation and understanding. It was to the honour of Cardinal Lavigerie that he was one of the first to realise the rôle that Catholic nuns could play in the evangelisation of native races, prompting him to found the White Sisters, who to-day are scattered over French colonial territory in Northern Africa.

Happily a further example of what nuns may effect in the mission field, on broad civilising lines, may be found nearer home. Only of quite recent years there has emerged from obscurity an enterprise in which from the first Irish women have had their share and which is likely in the future to draw its main recruitment from Irish sources. For in September of last year a spacious country house near Dundalk, long in Protestant hands, was transformed into a convent and postulant house under an Irish superior. The religious ceremonies, honoured by the presence of the Papal Nuncio, attracted large crowds, while the convent itself was placed under the protection of Blessed Oliver Plunket, and the first statue to be erected in his honour in Ireland now stands before the entrance. The Sisters in possession of this new missionary centre are a congregation of Franciscan missionaries who have come to be known familiarly as Mother Kevin's nuns.

It was in October, 1902, that a little group of six Franciscan Sisters started from St. Mary's Abbey, Mill Hill, near London, on the long journey to Uganda on the invitation of the Vicar Apostolic, Bishop Hanlon, to work in co-operation with the

Fathers of St. Joseph's Missionary College, the great work founded by Cardinal Vaughan in his early years. It was indeed a venture of faith, for none of the Sisters had any actual experience of the mission field, any special training, or any knowledge of the Luganda language. The Superior, Mother M. Paul, was a talented and competent American, full of resource, who during the first few years laid the foundations of future success. But a breakdown of health compelling her return, the leadership of the little band passed on to a young Irish nun from Wicklow, Mother M. Kevin Kearney, one of the original members of the community and its presiding genius from that day to this.

Needless to say that thirty years ago conditions of life north of Victoria Nyanza were incomparably more primitive than they are to-day. Distances were very great, roads inferior and, worst of all, European food, even bread, often difficult to obtain, while a constant diet of bananas and sweet potatoes is admittedly unsuitable for European digestions. From the first indeed the docile and adaptable Baganda people received the foreign nuns with a touching friendliness and a sometimes embarrassing curiosity; schools, dispensaries and hospitals were eagerly patronised as soon as they could be opened, and an infinite field for evangelistic and civilising effort lay open before the nuns. But the means at their disposal were miserably inadequate. It was unhappily the case that, though at the urgent demand of Cardinal Vaughan, St. Mary's Abbey had furnished this first contingent of Sisters, it was not in a position to afford the infant mission the essential support. Neither nuns nor funds were forthcoming to meet the ever-growing African needs, while girls with missionary ambitions were deterred from offering themselves as, owing to the demands of the work at home, there was no certainty that their hopes would ever be realised. Thus the first twenty years in Uganda covered a hard and obscure struggle of over-worked Sisters against real poverty and constant anxieties, and it needed all the courage and resourcefulness and strong faith of Mother Kevin to guide her little community through so many disheartening circumstances.

The war years, naturally, tended to make the situation even more difficult, but they had the advantage of bringing M. Kevin into immediate relations with both the military and civil authorities in Uganda, who were quick to recognise her organising ability. At their urgent request she placed her native hospital at Nsambya at their disposal for the nursing of the British and native soldiers wounded in the campaign against the Germans in Tanganyika, 1915–6. All the nursing and catering was carried out by the Sisters under the supervision of the military doctors. That they fully appreciated these services may be assumed from the fact that after the war Mother Kevin received the M.B.E. from the British Government. It may be said here that not the least of Mother Kevin's achievements has been the maintaining of cordial relations with all the Protectorate officials, whether Catholic or Protestant, as well as with their wives and families. Indeed it is not too much to say that to-day she fills a quite special position in the life of Uganda.

Unfortunately after the war the shortage of subjects and means continued as before, although some valued financial help had come from America. Small parties of Sisters had come out from England both in 1917 and 1921, and two new missions had been founded at Nagalama and Kamuli, but the progress made was all too slow to meet the urgent needs, and the Fathers were insistent in their demands for more nuns to open convents wherever they themselves had penetrated and started a little Christian centre. Bishop Biermans was at length driven to point out that if more subjects were not forthcoming from Mill Hill, he would be compelled to enlist the aid of some other congregation. It was then that Mother Kevin came to a tremendous decision. She realised that the only practical solution to an impossible situation was to create a separate novitiate for the Uganda work, feeling convinced that vocations would surely flow in when once suitable opportunities and training were made available.

Such a scheme, fraught with difficulties, required a visit to Europe, and in 1928, on her way to England to lay her plans before the council of St. Mary's Abbey, Mother Kevin paid

pilgrimage visits in turn to Ars, Lourdes, Lisieux and Notre Dame des Victoires in Paris, everywhere commending her work to Our Lady and to the newly canonised Saints. Such prayer and faith had their reward; the obstacles she had feared vanished one by one, and before long the necessary petition had been forwarded to Rome.

This much accomplished, Mother Kevin did not let the grass grow under her feet. Quite penniless, she began a search for a large country house suitable for community needs. Hearing of her plight, the Duchess of Norfolk came to her assistance with the offer, rent-free for a year, of Holme Hall in Yorkshire, one of the mansions on the Everingham estate, standing empty at the time. On inspection the house, situated in a lovely park and already provided with a chapel and chaplain, proved singularly suited for the purpose, and on the Feast of the Purification, 1929, Mother Kevin and three companions—one brought home from Uganda to act as novice-mistress—took up their abode in bitter weather in a few empty rooms in the freezing mansion with a minimum of furniture and food, mostly supplied through the generosity of the Bar convent, York. As usual, her appeals proved irresistible; friends hastened to her support, and within a very few weeks community life was duly established and eager postulants begging for admission.

Everything went well at Holme Hall—a hurried visit by Mother Kevin to America producing the much-needed funds—but until canonical sanction for the novitiate was actually received from Rome, no postulants could be clothed and the future was still uncertain. Weeks and months passed, and the longed-for document failed to appear. Apprehensive of some fresh obstacle, Mother Kevin, with characteristic energy, hurried off to Rome in October to find that the Papal sanction had just been forwarded to St. Mary's Abbey. Her visit, however, was far from being in vain. She was received with full appreciation of her missionary labours, having had no less an advocate than the Apostolic Delegate to Northern Africa, now Archbishop of Westminster, who had seen for himself the urgent need for the extension of her work. A private audience

with the Holy Father and the subsequent reception of the cross *pro Ecclesia et Pontifice* were fitting rewards for thirty years of unflagging labour in the mission field. This strenuous year was happily completed by the clothing of seventeen postulants at Holme Hall at the hands of the Bishop of Middlesborough. Since then, within the last seven years, forty-five professed nuns, carefully trained for mission work and with at least an elementary knowledge of the Luganda language, have left Holme Hall for Uganda, bringing up the complete number there to over sixty, where eight years ago there were barely twenty. Moreover the convent continues full with an average of over forty novices and postulants, so that year by year some fifteen to twenty Sisters will cross the seas in response to the urgent appeals of the Uganda Vicariate. Mother Kevin's faith and vision have indeed been justified.

Yet on her return home in the spring of last year, the intrepid missionary had resolved to stabilise her work by one more foundation. Mount Oliver convent is intended to play a three-fold part in the future. Primarily, all Irish aspirants to a missionary life—and they are likely to be more numerous in the future than they have even been in the past—will try their vocations here without being compelled to leave their native shores. Secondly, the charmingly situated house at the foot of the Mourne mountains, in a mild climate, will make an ideal rest-house for aged and invalid missionaries returning from their labours in Uganda; and finally, it is hoped, the large reception and bed-rooms will be filled throughout the summer with numerous paying guests who, in this way, will afford much financial help to the missions. So warm and generous has been the welcome given to the nuns by the whole neighbourhood that success would seem already assured. Indeed a first batch of Irish postulants has already been passed on to the Yorkshire novitiate.

And what of the actual results obtained by this increased number of missionaries? In Uganda to-day Mother Kevin's nuns maintain twelve mission centres, in each of which there is a general and maternity hospital, a day and a boarding school, as well, of course, as the convent proper and the church

and mission buildings of the Fathers. Each hospital, when complete, comprises native, Indian and maternity wards with post-natal and ante-natal clinics. There are in addition a number of small maternity centres, staffed by the native Sisters—to be described later—who receive a thorough training either at the maternity school at Nsambya, where the instruction is given in Luganda, or at the more recent centre of Nkokonjeru where it is given in English. At one or other of the missions every grade of school is to be found : for from the first Mother Kevin has been a strong advocate of education for the native women, whose needs had been practically overlooked in earlier years. Thus at Nsube there is a " college," mainly for the daughters of chiefs and well-to-do Africans, where the girls are taught English, music, needle-work, basketry, cooking, etc.—everything in short to make good wives and mothers and to raise the girls up to the civilised level of their future English-speaking husbands. Here too is an orphanage where pupils can be taught the hygienic care of babies. At the large centre of Nkokonjeru there is a sub-grade school at which the catechumens, while being taught their catechism, are instructed in reading and writing. A recent development at Namilyango is a preparatory boarding-school for small boys before they are old enough to pass under the care of the Fathers.

From all this it will be inferred that a highly educated type of nun is essential for the mission field, all the more as the educational work has to be run, in a measure, in competition with the Protestant schools, usually better equipped than our own. Montessori teachers, for instance, are specially valuable for African children. Infinitely more is needed than mere instruction in English and catechism. There is the whole building up of a strong Christian character, the changing of a whole inherited pagan outlook into a Christian one, yet without destroying the natural love and pride in the children's own country and people. It would be deplorable if girls returned home from the Sisters' schools to drift back in their native villages into heathen ways ; equally deplorable should they develop a distaste for the simple life it is their lot to lead and pined for European pleasures. In the same way skilled

knowledge is obviously needed in all that concerns medical treatment; good maternity nurses are essential, and a Sister who has to run a dispensary in some remote district where visits of an European doctor are rare events and who may be faced with any variety of illness or accident must not only be a trained dispenser but also a woman of resource and decision.

The truth is that every conceivable gift and accomplishment can be turned to good account in remote missions and should be assiduously cultivated. Musicians, dentists, gardeners, poultry experts, amateur painters and carpenters will all find a field for their talents. Even motor driving, not usually associated with a religious vocation, becomes a valued asset in a land where every convent possesses a car of sorts and long distances have to be covered. And it is perhaps one secret of Mother Kevin's success as a foundress that she has a gift for placing the round pegs in the round holes and for getting every ounce of capacity out of her subjects. There is no division into choir and lay Sisters—a distinction that natives do not understand; every one contributes according to her talents to the needs of the work.

One essential problem of missionary life has, however, not yet been satisfactorily solved: that of the woman doctor. No one is more needed to work in close co-operation with the Sisters in remote missions, and it is almost essential that she should be a Catholic. But Catholic women doctors are still few and far between, and yet fewer are prepared to sacrifice prospects of a lucrative medical career and expatriate themselves to heathen lands. Moreover a lay doctor cannot live inside the convent with the community; and if she lives outside, she may be terribly lonely and have practically no social life. Several have made the experiment in Uganda in recent years, and for one reason or another, they have proved unsuitable or have voluntarily withdrawn. Thus the only real solution lies in the fully qualified nun doctor, a solution which thirty years ago Dr. Agnes McLaren boldly propounded to the authorities in Rome to the scandal of not a few, but which to-day is within the bounds of possibility. In Mother Kevin's view the nun doctor is an urgent necessity in the mission field.

Already one fully qualified woman doctor after some years' experience in Uganda has passed through the novitiate at Holme Hall and has returned as head of one of the mission hospitals, and a second doctor, now at Holme Hall, will be going out this year. It is greatly to be wished that a few of the young Irishwomen now studying at Dublin and Cork could be inspired to sacrifice a career of medical success at home and add a religious vocation to their professional qualifications. Medical training after profession is now, we believe, a possibility, though more easy in U.S.A. than in Europe, but the years required are so many and the expense so considerable that the reverse process would seem to be normally preferable.

There is one further feature of mission life that needs to be recorded, one that is singularly attractive and full of almost infinite possibilities for the future. This is the steady growth of the "Little Sisters," a community of native girls who embrace the full religious life and live side by side, though in their own quarters, with their European Sisters. The natural modesty and refinement of the Baganda women is an undoubted help towards the transformation that is effected. Yet when one remembers that the grandparents of these dedicated virgins were mostly heathen and a generation further back not infrequently cannibal, one realises something of the power of God's grace. Entering the native novitiate at Nkokonjeru at the age of thirteen or fourteen, these little black girls pass through a probation period of five years : one as aspirant, two as postulant, and two more as novice—after which simple vows are taken and renewed year by year after a ten days' retreat. Nor must it be imagined that they are restricted in their work to humble domestic duties. All are trained for some definite employment such as teaching, nursing, and above all midwifery, passing the necessary examinations. Not a few become very proficient in English and teach in the native secondary schools. Very wisely, as far as possible, they are made to keep to their own native food, and all spend a portion of the day in field and garden work, thus providing their own food in accordance with the custom of the country. Tea and white bread are luxuries kept for feast days. Nearly all the Little Sisters come from

Christian homes, and their parents take an immense pride in them. And indeed one cannot over-estimate the influence for good they exercise among their own people. Necessarily they understand the language and local ways of thought as no foreigner can ever hope to do, and so act as an invaluable link between missionaries and natives. Founded by Mother Kevin in 1920, with eight little black aspirants, the novitiate has already supplied over fifty professed nuns, while close on one hundred more are in course of training. The aim in the future will be to have a little community of native Sisters, but always under a white superior, side by side with each Franciscan convent.

Of quite recent years to the varied duties undertaken by the Sisters there has been added a new and specially Franciscan one and therefore the more dear to Mother Kevin's heart : the care of lepers. For years leprosy has been a terrible and permanent scourge in Uganda, and only recently has the Government made any serious effort to cope with the evil, and it has gladly enlisted the aid of the Franciscan Sisters. But so great is the horror that still lingers concerning this dread malady that no nun is posted to a leper colony unless she specially volunteers. In point of fact there are volunteers in plenty. It must be remembered that conditions in a modern leper colony are totally different from what they were in Father Damien's day. It is now proved that the disease is not infectious, though acutely contagious where over-crowding exists and domestic utensils are used in common. Hence modern methods of treatment have abolished all real risks to nurses and have established the possibility of greatly ameliorating the condition of the patient and even of effecting a cure in the early stages.

With the help of a government grant the Sisters now control two leper settlements : the one at Nyenga accommodating about 100 so-called " burnt-out " cases—far the saddest to look after—where nothing can be done save to render existence more tolerable ; the other, far larger and run on the most approved modern lines, at Buluba. For this Mother Kevin petitioned the Government for a tract of virgin land, several square miles

in extent, on the shores of Victoria Nyanza. Here each afflicted family can live in a little hut of its own on a plot of land for growing bananas and vegetables, while following the regime and submitting to the regular treatment prescribed by the doctor and carried out by the Sisters themselves. Each colony, in addition to the native huts, has a church, convent, hospital, dressing-station, schools and wards for the babies of infected parents. It is little wonder the poor lepers are eager to avail themselves of such boons.

The following quotations from two letters written home, the first in April 1934 and the second a year later, will convey some idea at once of the conditions under which mission work is carried on and the joyful spirit in which discomforts are faced.

" I don't know if you heard of the opening of Buluba, the new leper colony on the shores of Lake Victoria Nyanza. Some of us went with Mother Kevin to get the place ready and had a great time. Accompanied by an enormous pile-up-to-the-sky lorry of furniture and utensils of all sorts, we arrived in the evening to find a completely empty convent of mud and stick with a grass roof and two doors, only fitted in, neither of which had any fastenings. But in less than no time our belongings were unpacked, beds and mosquito nets fitted up, and we were ensconced on boxes and stools in the future dormitory having our first meal in the new convent. The convent is in an amazingly beautiful place, right down on the shores of the lake, with the great expanse of shining blue water in front, with low wooded green hills running down to the water's edge on either side. . . . The lake swarms with crocodile and hippo. Of nights we could hear them snuffing and blowing like super-pigs as they made their way inland in search of grass. So to be there is as good as being at the Zoo. . . . Already they have 34 or so lepers there, but as yet they have not much accommodation for them ; but when the place is in full swing it will be great, for the district has 30,000 lepers in it."

The same correspondent writes later :—

" Buluba is getting on well too, and the place, which a year ago was an uninhabited jungle of high grass and hippopotami, is now beginning to wear quite a cultivated air. The lepers

have themselves got 200 acres planted, a road has been made, and a convent garden is in flower. They have nearly 100 lepers there now. . . . At Nyenga they have the more advanced cases; we went to each colony before Christmas. Mother Kevin took S. A. and myself with her, and we had a great couple of days. Each leper was presented with 20 cts, which princely alms equals about 2d. And you should have seen their ecstatic joy when this was dropped by Mother into their outstretched hands, or into their laps if their hands were missing. . . . Each colony has its own chaplain now, so they are able to have a daily Mass and the other Sacraments."

This is the type of missionary effort that a Catholic country such as Ireland can afford towards the civilisation of that African continent which unhappily seems destined to be the battle-ground of contending nations in the near future. Ireland claims no colonies and demands no mandates, and with entire disinterestedness she can help to set up a type of Christian civilisation that in the long run will prove an example of the only way in which Europe can rightly interfere in African affairs. It is to co-operation in this Catholic enterprise that Mount Oliver convent now invites the girlhood of Ireland.

V. M. Crawford

THE DUBLIN NEWSPAPER PRESS

A Bird's Eye View, 1659—1916

BY STEPHEN J. BROWN, S.J.

THE history of the Press in Ireland has yet to be written. It is true that a work entitled *The History of Irish Periodical Literature, its Origin, Progress and Results* was published in 1867 (London : Newby) by Dr. Richard Robert Madden. But that work, though designed to cover the period from the end of the seventeenth to the middle of the nineteenth century, did not in fact carry the history much beyond the end of the eighteenth century.[1] And Dr. Madden's views even for the period covered can hardly be accepted as final. When that history comes to be written, if the work be honestly and fairly done, it will throw fresh light on certain phases of our Irish political history and will clear away not a few misconceptions. In particular, I think, a vivid light will be thrown on the tragic, but perhaps inevitable, dissensions and misunderstandings between Irishmen who loved their country well if not always wisely. Only the briefest sketch of the Dublin Press can be attempted here.

The first periodical news-sheet which appeared in Ireland would seem to be *An Account of the Occurrences of Ireland.* It came out on the 23rd or so of February 1659, the year preceding the Restoration, and ran for five numbers. The tattered brown pages may be seen preserved in the National Library. Later followed the *Dublin News Letter* (1685) and *Dublin Intelligence* (1690–3). The *Dublin Gazette* began to appear in 1708 and continued almost to the end of the century. But the first Irish newspaper really worthy of remembrance was *Faulkner's Dublin Journal,* which continued, with some slight breaks, into the nineteenth century, ending only in 1825 with No. 13,671.

[1] That is, of course, in the two volumes that appeared. Madden doubtless intended to complete the work, and there are probably materials for this among his papers preserved at Charleville Mall Library.

The articles dealing with that newspaper which are appearing in these pages dispense me from further reference to it. Few of its early contemporaries deserve any extended notice in so brief a survey as the present. *Saunders Newsletter* had a very long life, lasting from 1755 to 1879. It became a daily paper in 1777. It presented itself as neutral in politics, being mainly concerned with commercial and business interests, and its tone was moderate and respectable, but it was really pro-Government and anti-Catholic, though without the bitterness and virulence of the Orange press. The *Dublin Evening Post* had an equally long run, from 1732 to well on in the nineteenth century. The most noteworthy part of its career was that during which it was conducted by a Presbyterian family named Magee, who were Whig and Catholic in their sympathies and suffered cruelly for the fact. On two occasions at least they and their paper made history. One was in 1813. On the departure of the Viceroy, the Duke of Richmond, their paper published an article reviewing in highly unfavourable terms the late and previous administrations. Magee was prosecuted and O'Connell defended. At the trial the great advocate made the most famous speech of his career, four hours of terrific invective against his opponents and against British rule in Ireland. It echoed far beyond the law courts into the furthest corners of the land.

The other occasion was nearly a quarter of a century previously. In 1789, as we shall see, a more famous newspaper, the *Freeman's Journal*, was in the hands of an unprincipled villain, Francis Higgins, known as the Sham Squire. In a persistent series of articles in the *Evening Post* Magee assailed this personage and unmasked his perfidy. The *Freeman* for November 3rd of that year speaks of the "foul and vulgar slaver vomited forth by the *Dublin Evening Post*." Magee, of course, was prosecuted for libel, but his work had been done.

The first number of the *Freeman's Journal* appeared in 1763, and the paper did not finally disappear till 1924—a run of 161 years. But so radical were the changes that took place at various periods in that long career, that its continuity was

rather one of title [1] than of anything else. In its early years it was closely (more closely than Dr. Madden is willing to admit) associated with Charles Lucas, who in his young days had played a noteworthy part in opposition to the illiberal government of the time. But during the period of his association with the *Freeman*, 1763–71, it was like the rest of the press in those days strongly anti-Catholic, as indeed Lucas was himself. But in 1770 it became the organ of the "Patriots," who stood for Irish parliamentary independence and favoured a measure of relief for the Catholics. Sir John Gilbert speaks highly of the noteworthy part it played in bringing about the peaceful revolution of 1782.

But the *Freeman's Journal* suffered the fate of other newspapers of the day. In 1783 it was bought by the Administration and put into the hands of the infamous Francis Higgins, nicknamed (as I have mentioned above) the Sham Squire, and later revealed as the betrayer of Lord Edward Fitzgerald. He was in the pay of the Government from 1783 to 1802 and used his paper to justify its doings and support its policy.[2] But this was not done in a frank and open way. The paper feigned sympathy with the "patriotic" party while working to undermine its influence in the country. It assailed Grattan in particular, but by insidious innuendo rather than by open attack.

On the death of the "Sham Squire" in 1802 the paper was acquired by a Mr. Harvey of Wexford, an honourable man who resisted all efforts to bribe or cajole the paper into support of the Administration. He was, by a strange irony of fate, succeeded by Henry Grattan (son of the great statesman), who had married Harvey's daughter. We find it in 1825 reporting in full the proceedings of the Catholic Association and the "Aggregate Meetings" of the Catholics of Ireland. The issue of December 15 has a five column letter from O'Connell. Throughout 1828, the eve of Emancipation, we find, in addition

[1] Even the title has varied. In 1789 we find it entitled the *Public Register or Freeman's Journal*. In its later days it was the *Freeman's Journal and National Press*. And there were other variations as well.

[2] The full history of this personage is to be found in a work by the notable historian W. J. Fitzpatrick, viz., *The Sham Squire and the Informers of* '98 (5th ed. Dublin: Kelly, 1869. New edition, Dublin: M. H. Gill, 1895). It is a sorry tale.

to full reports of Catholic Association meetings and those of the Friends of Civil and Religious Freedom, leading articles advocating the Catholic cause. "The Catholic mind of Ireland," we read in the issue of September 13, "is unquestionably wrought up to an assurance that the first national act of the Legislature will be Emancipation." The language at times is forcible. Thus on November 20 the leading article speaks of "the truly atrocious war which England has been prosecuting for centuries against this country."

It will be well at this point to glance back for a moment at the course of journalism previous to Emancipation. In the last decade of the eighteenth century the press in Ireland was divided into two groups, pro-Union and anti-Union or "patriotic." The principal Metropolitan papers were the *Freeman's Journal*, *Faulkner's Dublin Journal*, *Dublin Evening Post*, *Saunders' Newsletter*, *The Press* (Arthur O'Connor's organ), and the *Hibernian Journal*. The two last-named were moderate supporters of liberal principles. There was as yet no Catholic, no nationalist press. The government party and the "patriots" assailed each other furiously—in print. It was a war of squibs and lampoons, pamphlets and scurrilous libels. The mass of the people were little concerned with this newspaper war. They were, as O'Connell asserted most vehemently at a later date, hostile to the Union. But the passing of the Irish Parliament they could contemplate without emotion, for it was an exclusively Protestant assembly subordinate to a Protestant administration. And the wounds of '98 were still open and bleeding. The press, in their eyes, stood on the whole for the Protestant Ascendency, even when it shouted loudest against the Union. There were liberal-minded Protestants who advocated Catholic rights, but the voice of Gaelic and Catholic Ireland was unheard and unheeded.

Matters were little better in the years that followed the Union. In 1810 about a dozen newspapers were appearing in Dublin. They were all owned by Protestants, and the majority were subsidized by the Government—about £10,000 a year being expended for that purpose.[1] Only three of the

[1] Michael MacDonagh, *Daniel O'Connell and the Story of Catholic Emancipation* (Dublin, Talbot Press, 1929), p. 54.

metropolitan newspapers supported the Catholic claims. But the growing power and influence of O'Connell gradually called into being new journals in support of the nationalist and Catholic cause. To some of them O'Connell might well have said *Non tali auxilio*. These were the days of that curious and not very reputable character, Watty Cox. There was his *Irish Magazine and Asylum for Neglected Catholic Biography* (1807–1815) which, according to himself, writing in 1817, " attracted more of the public attention in Ireland than ever before honoured any print since the introduction of printing into that country." It certainly attracted the attention of the Government and of the law courts, for Cox was pilloried, fined, imprisoned, and driven into exile, whence he returned later to found in 1822 the *New Irish Magazine and Monthly National Advocate*. But he was then a Government pensioner, as was also his most violent opponent, Dr. John Brenan, editor of the ultra-national *Milesian Magazine* (1812–25).[1] But there were newspapers of a somewhat better type than these.

The Patriot began in July 1910 as a strictly constitutional, loyal and pro-English paper. But even its introductory address augured other things. It summed up its idea of patriotism in the adage : " Here is my country and there is a foreign invader." We must, it went on, discuss our grievances *among ourselves*. " But let us not be seduced by the silly hope of amendment from foreign interference." Which sounds like a foretaste of Sinn Féin. But it was fiercely assailed by the *Freeman* and the *Evening Post* as a hireling and slave of the Administration. Yet in 1827 we find it strongly advocating Catholic emancipation. In an article on the press on February 4 it describes itself as " representing the liberal Protestant mind of Ireland." Of its contemporary the *Mail* it says : " In its pages Protestantism appears as a *fiend* of hatred instead of the religion of the God of charity, peace, and goodwill." It has no patience with " those who in the name of loyalty and Protestantism irritate and disturb the country." The *Morning Register* (1824–1842), at least towards the close of its career,

[1] For a full account of Watty Cox see the excellent pamphlet by Mr. Séamus Ó Casaide published by the Bibliographical Society of Ireland, 1935.

was likewise a moderate and liberal organ, equally opposed to the Tory *Mail* and to the *Morning Herald*—the latter being stigmatized by it as "a low-minded organ of inveterate bigotry." It favoured Repeal and for a short time, before their founding of the *Nation*, Davis and Dillon contributed to it.

But the paper that most consistently supported O'Connell, right or wrong and through thick and thin, was the *Pilot* (1828–1849) edited by Richard Barrett. "We are proud to avow it," the editor wrote in 1834, "we are the supporters of Mr. O'Connell, a support as independently given as accepted." This independence was somewhat diminished in later years when John O'Connell became its moving spirit. In 1834 Richard Barrett went to gaol for his advocacy of Repeal and was described by O'Connell as "the first victim for the advocacy of the great measure which is so absolutely necessary." The Young Ireland writers speak of editor and paper with the utmost bitterness and contempt.[1] Lucas of the *Tablet*, an independent witness, wrote: "The character of the *Pilot* for every species of turpitude is now well known." An overstatement, no doubt, but not to be entirely brushed aside. It was an article in the *Pilot* that brought about one of the saddest episodes in the history of those days—the secession of Young Ireland from the Repeal Association and their final break with O'Connell. They went their several ways, the former to the tragi-comedy of Ballingarry, he to his death, a lonely and broken man, at Genoa less than a year later. But, in spite of failure, both Young Ireland and O'Connell had done their work.

Besides the newspapers just referred to, O'Connell had on his side, as we shall see, the *Freeman's Journal*; so that on the whole he had strong backing from the press. Yet in his Emancipation and Repeal agitations he made but little direct use of that powerful weapon. His appeal was to the people and the people did not trust, and for the most part did not even read, the press of those days. Indeed the Liberator often flouted the newspapers that supported him.

[1] For instance, Gavan Duffy in *Young Ireland* and in *Four Years of Irish History*, p. 224.

On the 12th of October, 1842, appeared the first number of a newspaper that was to infuse a new spirit into the national struggle. Founded by Davis, Duffy, Dillon and a brilliant group later to be known as Young Ireland, the *Nation* was something wholly new in Irish journalism, new in its aims, for it boldly advocated the restoration of Ireland's independence; new in its ideals, for it stood for a whole range of Irish culture that was all but forgotten by the bulk of Irishmen; new in its spirit, for it stood for union among men of all classes and creeds who were on Ireland's side. Not that any of these things were hitherto unheard of, but that never until then had they been taken up with such a fire of enthusiasm and advocated with such splendid fearlessness and such brilliant talent. The *Nation* was not so much a newspaper on the English model as a daily budget of articles on a very wide range of subjects, literary and historical as well as political, and of stirring verse. The paper met with instant and extraordinary success. "From the first number," says Gavan Duffy in his Life of Davis, "it was received with an enthusiasm compounded of passionate sympathy and personal affection." "In speech, article, song, and essay," says Michael Doheny,[1] "the spell of Davis's extraordinary genius and embracing love was felt. Historic memories, forgotten stories, fragments of tradition, the cromlech on the mountain and the fossil in the bog supplied him substance and spirit wherewith to mould and animate nationality. Native art, valour, virtue, and glory seemed to grow under his pen. All that had a tendency to elevate and ennoble he rescued from the past to infuse into the future." Alas, Davis lived but four more years to do his great work. After his death and the horrors of the Famine, matters drifted steadily towards revolution. The *Nation*, reinforced by new and splendid talent—Thomas D'Arcy M'Gee, Thomas Francis Meagher, Devin Reilly, James Fintan Lalor, William Smith O'Brien—continued its career under the editorship of Gavan Duffy until its suppression in 1848. Revolution found a voice, stifled time after time, in Mitchel's *United Irishman*, followed by the *Irish Felon*. These were the forerunners of a

[1] *The Felon's Track* (M. H. Gill's edition, 1914), p. 20.

long line of periodicals issued by the more extreme [1] political groups or parties. The *Nation*, revived by Duffy,[2] took a different path. Under the Sullivans, A. M. and T. D., it became an organ of the Home Rule and agrarian movements, and did noble work for the cause. It lasted till the end of the century.

The years that followed the Famine and the collapse of '48 might be described as the nadir or rather the low water mark of the national movement. The tide had ebbed, and it seemed as though it would never flow again over the muddy flats. A vigorous and outspoken paper, *The Irishman* (second of the name), began in January 1849 with much of the spirit and some of the features of the *Nation*. It assailed landlordism and the Whigs, but it was short-lived—not surviving the year. Then came the ignoble days of Sadleir and Keogh. In 1850 Sadleir founded a newspaper. "Sadleir," says Mr. T. P. O'Connor,[3] "had established a paper called the *Catholic Telegraph*. It was a journal of ultra-religious fervour, went into fits of lunacy over the [Ecclesiastical] Titles Bill, and, while upholding Sadleir and Keogh as the spotless champions of the Church" . . . This is not quite correct. Sadleir's paper was the *Weekly Telegraph*. It was not until 1857, after Sadleir's financial crash and suicide, that it became the *Catholic Telegraph*. As such, especially under the editorship of that worthy man William Bernard McCabe, it rendered good service to the Church and to Ireland. It fought for the Catholic University, reported Catholic news from all over the world, supported enthusiastically the Pope in his dangers and difficulties (*e.g.* June 20, 1857), printed a series of valuable articles by Rev. Dr. Cahill and the lectures of Cardinal Wiseman. It ran till 1866. Its only successor, until the *Standard* was founded less than ten years ago, has been the *Irish Catholic*, started in 1888 and still with us. The *Irish Catholic* was and is more exclusively religious in its contents than the *Catholic Telegraph*. In such politics as it professed

[1] Extreme, that is to say, in their spirit and methods rather than in their aim or goal.
[2] In 1855 Duffy sold the *Nation* to A. M. Sullivan and quitted Ireland for Australia.
[3] *The Parnell Movement.*

the former was for long out of sympathy with the national aspirations and never attained to any great popularity.

While the *Weekly Telegraph*, or rather the miserable group of men who had made it their mouthpiece, was being furiously assailed by the combined forces of the *Freeman* and the *Nation*, there was working in Belfast a young journalist who in his day played a worthy part on the Irish political stage, but who seems now to be forgotten. Denis Holland had started his career on the *Cork Examiner*. About 1850 he went to Belfast and there founded the *Ulsterman*, which in 1858 became the *Irishman*, "A Weekly Journal of Irish National Politics and Literature." In April 1859 Holland removed to Dublin. At a farewell banquet given him on that occasion, at which many of the clergy and of the laity both Catholic and non-Catholic, were present, the *Irishman* was referred to as "our only Catholic journal in Ulster." In his speech Holland dwelt—how history repeats itself—upon "the recent disturbances which had made Belfast so unhappily notorious." He pointed out "how creditably and triumphantly the Catholic population of the town, harassed by a lawless Orange rabble, had passed through that ordeal." His journal, he said, had been instrumental in procuring a government commission to enquire into the origin and causes of the riots, the report of which was a complete vindication of the Catholics.

The *Irishman* continued in Dublin as a militant Catholic and nationalist paper until Holland's departure for America in 1866, where some years later, in 1872, he died. Meantime it had been taken over by Richard Pigott of unhappy memory. In his hands it verged more and more towards Fenianism, becoming anticlerical when that movement was condemned by ecclesiastical authority. The issue for January 1, 1870, contains a skit headed 'Cardinal Cullen's Progressive Policy' which is highly insulting to that prelate. At a later date it was edited for some years by Dr. George Sigerson. Towards the close of its career, which ended in 1884, it was purchased by Parnell and handed over to William O'Brien, who was afterwards to play a noteworthy part in the national struggle. The last number contains an historic letter from Dr. Croke in which

the Archbishop, in accepting the honorary presidency of the newly-founded G.A.A., sets forth his views on Gaelic games. It is followed by a brief note from Parnell associating himself with the movement. As we shall presently see, William O'Brien on the ruins of the *Irishman* erected *United Ireland.*

Before we pass on to Fenianism and then to Home Rule and the Land League, we must hark back to 1859. In that year there was founded a newspaper which has played an important part in Irish life and which still flourishes—the *Irish Times.* It was founded by Major Laurence E. Knox, who remained its proprietor until his death in 1873. It was then purchased by Sir John Arnott, head of a great commercial firm in Dublin, and the present Sir John Arnott is Chairman and Managing Director of the Irish Times Company. The *Irish Times* was from the start and has consistently remained the organ of the Protestant interest in Ireland, its politics being Conservative or Unionist. It steadily opposed all the national movements. It afforded a platform and a rallying ground for all those, Catholics as well as Protestants, whose first allegiance was to England or whose principal preoccupation was the maintenance of the existing order. Since the setting up of Saorstát Eireann its policy has been considerably modified; but that, for the moment, does not concern us.

Its principal rival, the *Freeman's Journal,* was in 1830 purchased by its first Catholic proprietor, one Patrick Lavelle. Eleven years later it was acquired by a group of supporters of O'Connell's Repeal policy, the chief of whom was John Gray—afterwards Sir John Gray—a Protestant of strong nationalist leanings, who became sole proprietor in 1851, subsequently passing it to his son Edmund Dwyer Gray, described by William O'Brien, who worked for some years on its staff, as "the most enterprising newspaper man Ireland ever produced." But this enterprise was not in the political sphere. On the contrary the *Freeman* was always moderate and cautious to a fault. Extremists looked upon it with contempt, and the more ardent spirits of the party which it supported were often exasperated by its hesitancy and

moderation.[1] It maintained that reputation—not always deserved—to the end. But the sound Irish and Catholic outlook of its later years and its advocacy of good causes made its loss in 1924 a severe one for the Church in Ireland.

In 1863 the *Irish People*, with John O'Leary as editor, was founded as an organ of Fenianism. But O'Leary and other prominent Fenians were arrested in September 1865, and the *Irish People* was suppressed by the Government. However, it was followed on September 5, 1868, by another Fenian organ, the *Flag of Ireland*, which lingered on till about 1881. Its first leading article was in a lyrical strain, full of Scripture texts: "Our trust, our hope, our cause are in the justice of the Lord who delivered Israel out of Egypt, the house of Jacob from a barbarous people. . . . He will send forth His light and we shall be delivered and He shall renew the face of the earth." One number contains an article enthusiastically greeting the Spanish revolution, the next prints in *extenso* the decree of the revolutionary Junta suppressing the Jesuits. There is little in the paper but news of Fenian doings, chiefly in America.

But if Fenianism as a movement failed in the sixties, its spirit had survived even to these days. It did not descend into the grave with John O'Leary, as Mr. Yeats has lamented:

> "Romantic Ireland's dead and gone
> 'Tis with O'Leary in the grave."

It is, indeed, much older than Fenianism itself and dates back to Wolfe Tone. It has always had its organs of the press, usually very short-lived, for their circulation was small, while support from advertisers was lacking. One of them was *Irish Freedom*, which appeared in November 1910 as the organ "not of any party but of the uncompromising national idea. We stand for the traditions of Wolfe Tone and Robert Emmet, John Mitchel and John O'Leary." *Nationality*, June 1915, a determined opponent of Home Rule and the Irish Parliamentary party, belonged to the same lineage.

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[1] Thus William O'Brien in his *Reminiscences* (p. 297): "The *Freeman* hung upon Parnell's flank as usual with dubious attitude in every moment of difficulty."

The movement which followed Fenianism, Butt's Home Rule movement, does not seem to have caused any very considerable stir in the newspaper world. But in 1880 came the rise of Parnell and the foundation of the Land League. And with these came a nationalist paper that made history—William O'Brien's *United Ireland* (1881 to 1891, or 1898 if we include its career under new ownership). It was founded at the request of Parnell in the full heat of the Land War and was, as its creator wrote in after years, "from crest to spur a fighting organ." From 1881 to 1884 it bore the full brunt of the battle against Earl Spencer's coercion régime. Its editor and all connected with its production were prosecuted, fined, imprisoned. Every effort was made to suppress it. Its offices were raided and its plant destroyed. But it could not be suppressed. It was produced in at least ten cities successively—London, Liverpool, Glasgow, Manchester, Paris, etc. Then Home Rule triumphed in the English House of Commons, and the success of *United Ireland* was tremendous. But the crash of 1890—the Parnell split as it has always been called—"brought *United Ireland* and all else beside it to red ruin."[1] Parnell took possession of the paper, which survived till 1896.

The *Freeman* had taken sides for Parnell, but was combined with another nationalist paper, the *National Press* (which was principally inspired by Mr. T. M. Healy), and continued as an anti-Parnellite organ.[2] It was to counter the influence of the new combination and to uphold the cause of Parnell that in the winter following the death of the Leader on October 6, 1891, there was launched a new paper which he had planned—the *Irish Daily Independent.* It was a fighting paper and definitely partisan in outlook. Years after Parnell's death the shattered Irish Parliamentary Party came together again; and the *raison d'être* of the *Independent* seemed to be gone. It saved itself from incorporation with the *Freeman* by absorbing the *Nation.* In 1905 it was acquired by an enterprising and successful business man, William Martin

[1] O'Brien: *Reminiscences.* Mr. O'Brien later tried his hand once more with a new journal, the *Irish People,* Sept. 16, 1899.

[2] A full account, from the inside, of these transactions will be found in T. M. Healy's *Letters and Leaders of My Day.* vol. II, p. 374.

Murphy, and his advent was the signal for a new departure in Irish journalism. Its new owner proclaimed its policy in the phrase : " The extravagances of partisanship will be unknown in the *Irish Independent*." From the first it was turned out in a fashion notably superior to its Irish contemporaries and has since kept abreast of progress in newspaper production. The *Independent* is first and foremost a commercial undertaking. Indeed its very essence is business. To this rather than to the popularity of its political opinions it owes its remarkable success.

Meantime two movements had been started and were growing steadily which were destined to sweep away the parliamentary movement. These were the revival of the Irish language and all that went with it—the " Irish Ireland " movement, as it came to be called—and the movement later known as Sinn Féin. Each of these movements had its organs of the press. On March 18, 1899, there appeared the first number of *Fáinne an Lae* (the Ring or Break of Day), afterwards *An Claidheamh Soluis* (The Sword of Light), which continued until its suppression by the British Government in 1919. It has reappeared at intervals since. Many of us remember with what delight and eagerness we read every line of what it gave us—in English, for in those days the Irish language was a rare possession outside the ranks of native Gaelic speakers. The most noteworthy editor of *An Claidheamh* was P. H. Pearse, who was later to be executed for his part in the Rising of 1916.

The Sinn Féin movement found its ablest spokesmen and propagandist in Arthur Griffith, a journalist of singular power, who had founded the *United Irishman*, referred to above, in the same year that saw the appearance of *An Claidheamh Soluis*. It was anti-parliamentarian even to the repudiation of O'Connell. It preached an aggressive anti-British policy, envisaging " an Ireland leading the world against the bloody, rapacious, and soul-shivering imperialism of England " (leading article Vol. II, No. 28). It did not, however, advocate physical force as a means of attaining national aims. Arthur Griffith's policy was one of abstention from the British Imperial

Parliament, together with organised effort to render ourselves nationally self-sufficient, that is to say, economically, culturally, and in the end politically also. In 1906 the *United Irishman* was replaced by *Sinn Féin.*

These periodicals may be called the official organs of the new movements; but these movements had an unofficial organ which perhaps did more than any official organs to further their aims. This was the *Leader*, founded in 1900 by an Irish Catholic journalist, D. P. Moran, who in 1904 summed up his ideas in a little book that wrought a great work—*The Philosophy of Irish Ireland.* The *Leader* hit out, often with telling nicknames and catchwords, against everything that it deemed humbug, but in particular against what it termed West Britonism and Shoneenism. It scoffed at and derided its contemporaries of the press—*Irish Times*, *Freeman*, *Independent*, and *Sinn Féin* alike came under the lash. It outlived its influence chiefly because the bulk of the Irish people had come to accept as truisms what it had proclaimed as new and vital truths. But the Irish people must not forget what they owe to the vigorous and fearless pen of D. P. Moran, who edited his paper up to the moment of his lamented death on January 31 of this year.

I do not wish to carry this rapid survey beyond that turning point in Irish history, Easter Week 1916. It would be of no small interest to study the rise of the local and provincial press, especially in Cork and Belfast, the powerful influence on Irish opinion, not only in America but in Ireland, of the Irish-American press and in particular of Patrick Ford's *Irish World*, and lastly the labour press, the vicissitudes of which are mainly a matter of recent history, but which, with James Connolly as its moving force, had made a beginning before 1916.

Stephen J. Brown

DRIED GRASS AND DRIED POTATOES

Home-Produced Animal Foods

BY HENRY KENNEDY, M.A., D.SC.

IN this article I shall consider the extent to which two crops specially suited to the soil and climatic conditions of the country—namely, grass and potatoes—can serve as economic sources of concentrated feed for farm animals to replace imported substitutes.

In the enthusiasm for new crops or the extension of old crops, with the objective of making the country independent of basic imported foods, there is a danger that grass as a crop should receive less attention than its intrinsic value would justify. Many hard things have been said about grass in the past, but the truth is that it constitutes a wonderful natural resource, and the real basis of the hard things said about it is not any intrinsic evil in it, but the fact that its advantages have not been fully and efficiently exploited from the point of view of a greater production of wealth and a better distribution of the wealth so produced.

In the post-war years there has been, all over the world, a comprehensive and scientific investigation of the value of grass as a feeding stuff for farm animals. It has been ascertained that it represents an ideal food for ruminants. If properly utilised—and that implies utilisation in the early stages of growth and before the plant begins to bloom—grass has a feeding value which has been well compared to " dilute linseed cake "—*i.e.* linseed cake with the addition of water corresponding to the water content of the grass. That, of course, is traditional knowledge reduced to scientific accuracy. When the plant is allowed to shoot stems, preparatory to forming seeds, the nutritive value and especially the percentage of digestible protein rapidly decline; and this is true of all plants. For example, it is not generally recognised that if a

field of oats or a field of beans is to be used for feeding cattle or milch cows, the time to cut it, in order to produce the maximum quantity of food nutrients and especially of protein, is not when it produces straw and grain, but at a much earlier stage, when it is in the green state and about to shoot. If it is desired, therefore, to provide winter fodder which is of the highest value, particularly with regard to protein content, it is necessary to cut the grass before it has reached the "stemmy" condition.

The next question is how to preserve this product so as to retain its feeding value. Here again, there has been much research in the last ten or fifteen years. At an international conference on grassland management held in Switzerland in the summer of 1934, a well-known authority, Professor Wiegner of the University of Zürich, gave as the result of his experiments in haymaking the following percentages of losses in feeding value :—

	Starch Value	Dig. Protein
(*a*) In very good weather	40%	33%
(*b*) In bad weather ..	50%	50%
(*c*) In very bad weather ..	66%	66%

In a lecture delivered some time ago Dr. Watson, of the Jealott's Hill Research Station of Imperial Chemical Industries, Ltd., stated that experiments have shown that even in good haymaking weather the losses approximate to 50 per cent. In a climate such as ours, with much higher rainfall and (still more important) with such a high relative humidity, the losses in the ordinary course of haymaking must be much higher in an average year, and the difficulty of curing by natural drying the rich young grass—which is the subject of this discussion—would be so great as to put that method of preservation outside the bounds of practicability.

For use on the farm there has been developed a system of preservation which is simple and comparatively cheap—*i.e.* preservation in silos. The freshly cut grass is packed in a silo immediately after being cut, and according to the most modern practice it is treated with mineral acids sprinkled over while

it is being packed.[1] The losses are comparatively small—not amounting to more than 10 per cent.—with very little loss of protein. The carotene of the grass and its vitamin properties are preserved—a very important consideration from the public health point of view, as the milk from cows fed with such fodder in winter will have a high content of vitamin A.

As regards the value of the fodder, it is only necessary to quote one experiment : a cow fed on pasture for four summer months and on five lbs. of good hay per day during the winter, in addition to an average of about 92 lbs. silage per day, yielded an average of 920 gallons of 4 per cent. milk per annum during four successive years. With such results experimentally proved, it can be definitely stated that if there is one thing which a farmer with good opportunities for grass production can do without to-day, it is imported feeding cake for the winter feeding of his farm animals.

The limitation to silage as a method of preservation is that it cannot stand transport and, therefore, must be used where produced. If grass is to be turned into a high-class article for sale, it must be dried artificially. During the last ten years there has been a great deal of work on the artificial drying of grass in many countries—particularly in the U.S.A., Germany and the Scandinavian countries.

In June 1934 in Germany the Reichskuratorium für Technik in der Landwirtschaft published the results of tests made on a novel form of drier operating on lucerne near Mainz. This plant, which has a relatively low capital cost and a high efficiency, is manufactured for an output of from about twelve cwts. per hour of dried grass. The economy of such a plant will, of course, depend upon many factors : the price of fuel, the price of power, the cost of labour, and the number of hours' utilisation of the plant during the year. On the latter factor, which is a very important one, will depend the capital charges to be borne by every ton of the dried product. The fuel cost will largely depend on the initial moisture content of the grass.

It has been found practicable in Germany, without serious

[1] For an account of this new process see the writer's article " Winter Fodder and a New Discovery " in STUDIES, September 1931.

loss of feeding value, to allow the product to wilt slightly in the field until the moisture content is about 60 per cent. Mr. Sheehy, of University College, Dublin, has done some interesting work on County Meath grass and has co-related its nutritive properties with its high dry matter content. He has found the dry matter in the neighbourhood of 30 per cent., as against 20 per cent. for the lucerne in the German tests referred to. It is, therefore, likely that the advantage of the higher dry matter content would counterbalance the more humid conditions from the point of view of reducing the moisture content to (say) 60 per cent. by air-drying.

The costs in the German tests, starting with wilted material of 60 per cent. dry matter and taking into account adequate factors for depreciation of plant, etc., only amounted to 15 RM per ton of dry material, with coke at 30 RM per ton, power at 10 pfg. per kwh, and assuming a working period of 1500 hours per annum. The cost of drying, however, increases rapidly with increased moisture content of the grass, owing to the greater quantity of fuel needed to evaporate the water and the lower output of the plant. With a moisture content of 75 per cent. the cost would be increased to about 30 RM per ton.

Taking into account costs in this country, it is likely that, under similar conditions, the costs of drying per ton would vary from 20/– for grass wilted to 60 per cent. moisture to 40/– for grass with 75 per cent. moisture.

As regards the grass delivered at the drying plant, from actual figures received from a farm where considerable quantities of silage have been made over a number of years it would seem that the cost per ton of dried grass would be covered by £2 per ton. The cost of the dried material would, therefore, vary from £3 per ton, if it is practicable in this climate to wilt the grass to 60 per cent. moisture, to £4 per ton if it is necessary in practice to deal with grass of 75 per cent. moisture.

The next question is : what is the value of this dried grass ? In the first place, the carotene and vitamin properties of the dried grass remain practically unchanged ; therefore the milk from cows fed with this product will have in winter

as in summer a high vitamin content. It is unnecessary to stress the importance of this fact from the point of view of public health. As regards the feeding value of this dried grass, it may be said that the value of the grass for all practical purposes has not been changed by the drying. Its value will depend upon the stage of growth at which the cutting takes place.

There have been many experiments done on the value of dried grass as a feeding stuff. Woodman, of Cambridge, in a recent article has stated that 34 lbs. of artificially dried grass is able to furnish all the nutrient matter necessary for a five gallon cow; while another British authority, who estimates the protein equivalent of dried grass at 13 and the starch equivalent at 60, states that, in view of its mineral and vitamin content, it is not over-valued at £7 to £9 per ton. But to secure the full nutrient value of grass it must be cut at the optimum time, and it is only after experience that it can be decided what is the optimum time. In any event, if the conditions referred to in the German tests are even approximately possible here, there can be little doubt that a high-class concentrated protein food from grass can be produced more cheaply than imported protein cakes and meals.

The total value of imported protein cakes and meals varied from over £600,000 in 1929 to £235,000 in 1934, while the value per ton varied from £12 15s. 0d. in 1929 to £7 5s. 0d. in 1934. I believe that these imports could be rendered unnecessary by the systematic exploitation of the two methods of preserving grass just described--namely, in silos and by artificial drying—and that this step towards self-sufficiency would have the economic advantage that it would cost less to the farmer.

On the other hand if, as a result of restriction in international trade, there is a continued or increased limitation in the export of cattle or other livestock products, it is at the least possible that a market might be found instead for such a high-class animal food as artificially dried grass of superior quality from our famous grass lands.

As indicating the growing interest in the artificial dehydration of grass, two reports on the subject have appeared

in Great Britain within the last few months. The problem should receive careful attention here, owing to the special conditions of soil and climate which favour the crop. A yield of $5\frac{1}{2}$ tons of dried grass (10 per cent. moisture) per statute acre was obtained in 1932 in the Hannah Research Institute, Ayrshire. There is little doubt that in our favoured districts yields of this order could be obtained. A comparatively small acreage would cover our present requirements of concentrated protein food for cattle. At any rate, the time has come for a practical investigation of the problem. Such an investigation would need the combined attention of the engineer, the agriculturist, the nutrition specialist, and the agricultural botanist.

While grass in either of the forms which I have described—namely, preserved in silos or artificially dried—can be relied upon to produce a cheap protein food for farm animals, the requirements of carbohydrate feeding stuffs, mainly for pigs and poultry, have to be sought elsewhere. In a previous article in STUDIES (December 1932) I have shown that, even at the very low import price for maize and even if there were no restrictions on its use, the farmer who utilises the potatoes grown on his own land for feeding pigs and poultry is utilising a still cheaper commodity. There is a definite limitation, however, on the use of potatoes for this purpose owing to the seasonal changes resulting in sprouting and consequent loss. These losses, which are very considerable, render the utilisation of potatoes for feeding farm stock impracticable over a large portion of the year. To make it possible to use potatoes the whole year round there is the same problem of preservation as in the case of grass, and there are exactly the same methods of solution.

On the Continent and chiefly in Germany there is a very wide use made of silos for the preservation of potatoes. The potatoes are steamed and then packed into simple concrete containers, being covered with a layer of earth. In this form they are preserved, with negligible loss, indefinitely and can be fed direct—just as ordinary boiled potatoes. In this way potatoes on the farm can be used the whole year round.

Potatoes stored in silos suffer from the same disadvantage as young grass similarly conserved—namely, that they must be used where produced. In order to have a commodity which can be economically transported, it is essential that the potatoes should be dried. This method of preservation has also been practised in Germany for a very long time. While there is little information available on the dry matter content of the crop grown in this country, it is fairly safe to assume that four tons of raw potatoes will produce one ton of the dried potato flakes. Complete information is available from German investigations on the value of the product, which may be taken as approximating closely to maize meal. Maize meal is slightly superior in protein, but this point is of little importance here, where ample quantities of skim milk are available. The German literature is emphatic on the point that the quality of the bacon produced by potato flakes is superior to that produced by maize meal.

Until recently the cost of drying was reckoned as about £2 per ton of the dried product. In August 1935, however, there was published an account of a new and much cheaper method developed by Professor Koeniger of the Forschungsinstitut für Kältetechnik und Trockentechnik in Berlin. It is estimated that the cost by the new method would vary, under German conditions, from 25 RM to 15 RM per ton of dried potatoes, the cost depending on the capacity of the drying plant. With a reasonably sized unit, efficiently utilised, the drying cost in this country might be taken as approximating to 25/– per ton.

In order to arrive at a figure at which potatoes could be delivered to the drying plant, certain assumptions must be made with regard to yield and cost per acre. In the article in STUDIES (December 1932) reasons were given for the assumption that an average of 15 tons per acre can be expected, provided proper care is exercised at every stage of the cultural operations involved. Now, the 1914 cost of production of an acre of potatoes, including the labour remuneration of the farmer's family, as set out in the *Journal of the Department of Agriculture*, Volume 24, was £14 10s. 0d. This would probably be somewhat higher than present costs—practical farmers have

expressed the view that at present the cost would be about £12. Taking the higher figure and assuming an average yield of 15 tons per acre, the potatoes could be delivered at the factory at a cost of (say) 22/6 per ton—or 90/– per four tons, which is the quantity necessary to make a ton of flakes. The cost of drying—namely, 25/—is to be added to this figure to give the cost of flakes as £5 15s. 0d. per ton.

If, therefore, the assumptions with regard to yield and cost per acre are approximately true, it would be possible for farmers, in suitably situated areas, to produce a feed equal in value to maize meal and at a cost not differing appreciably from the cost of maize meal on a free market. The present cost of milled barley in the maize meal mixture may be taken as £8 10s. 0d. per ton. If the price of potato flakes were arranged on a parity with milled barley, a drying factory established to deal with the farmers' potatoes as a cash crop could return a price of about 35/– per ton of potatoes delivered at the factory.

These calculations can, of course, be regarded merely as approximations ; but they furnish a good *prima facie* case for the view that, in any programme for the extended production of essential carbohydrate foods, dried potatoes should receive due consideration. The improved drying technique renders more forcible the view expressed by the writer in STUDIES—that, looking at the matter purely as an agricultural problem, the economy of potato-drying is far more favourable than the use of potatoes for the production of industrial alcohol.

HENRY KENNEDY

SALAZAR AND THE NEW STATE OF PORTUGAL

BY THOMAS J. O'DONNELL, S.J.

EUROPE is now beginning to recognise the credit due to the Portuguese Dictatorship for the success of its great economic and political experiments. This success has been still more enhanced by the fact that the experiments were performed at a time when the rest of the world was passing through what has been described as the greatest economic crisis in history. To understand, however, the gravity of the situation in Portugal when the *coup d'état* of 1926 took place, it will be necessary to review briefly the political history of the country for the past fifty years.

During the last forty years of the Monarchy the country enjoyed a period of deceptive tranquillity. This state of affairs had allowed sufficient scope for a certain degree of industrial development and, as a consequence, for an increase in trade and revenue; but this apparent economic recovery was merely on the surface. The greater part of the population, discontented and restive, groaned under the weight of an unjust taxation, whilst an ever increasing expenditure, completely outpacing the growing revenue, had gradually brought the national treasury to bankruptcy. Bread riots were frequent, and in 1872 an abortive republican rising, led by a group of briefless barristers, journalists and students, took place. The cause of this state of internal discontent can be traced to the fact that Portugal, during this period, had been at the mercy of unscrupulous factions composed of professional politicians. These politicians were divided into two main parties, the Regenerators (right) and the Progressives (left), but the votes of the members were only too often determined by purely personal interests. In Parliament their numerous quarrels and obstructive methods led to frequent ministerial crises; during this period of fifty years there was

an average of one change or reconstruction of government a year. Though reform bills and constitutional amendments of a democratic character were passed, the results were inadequate. The principal of these democratic measures, the conversion of the Upper Chamber from an hereditary house into an elective Senate, merely increased the number of positions of dignity and pecuniary profit open to the professional politicians, so that the result of the measure, instead of being beneficial to the nation, was disastrous. The country went from bad to worse.

A premature rising in Oporto in 1891, led by Alveis Veiga, did not receive the support of the people at the time and was suppressed ; but a militant Republican Party was established, and this introduced a further weakening element into the life of the nation. In 1899 Dom Luis died and was succeeded by his son Dom Carlos, who was a man of extravagant tastes. The result was that the Monarchy now joined the politicians in robbing the Treasury. These abuses led to a very serious crisis in 1907-8, when the King was forced to carry out a *coup d'état* and to assume dictatorial powers. He called on one Joao Franco, a wealthy man of apparently resolute character, to carry on the government without the aid of *Cortez*. Franco promised the people a period of honest government and exposed the greedy unscrupulousness of the political factions, whether they went under the name of Regenerators or of Progressives. The nation at first believed in his promises, and it would appear that he was sincere ; but it was soon evident that the change was not to bring any relief to the taxpayer. Forced to pay for the support of the army, to cancel the king's debt to the Treasury, and to grant the latter an increase in his civil list, Franco was merely transferring the public moneys from the pockets of the politicians to those of other recipients. The old factions became incensed at their loss and at the measures which Franco considered necessary to keep them in check. On February 1, 1908, the Royal Family was attacked in the streets of Lisbon by a gang of assassins who murdered both the King and his eldest son and wounded Manuel, the second son, who survived to become

the successor of Dom Carlos. The consequences of these assassinations were very far-reaching; the Monarchy was terrorised and weakened, corrupt constitutional government was restored, and the country fell once more into the hands of the professional politicians. The inability of the Monarchists to agree upon a common policy discredited the existing régime, and the progress of Republicanism now became rapid. In Lisbon and Oporto the Republican candidates gained large majorities at the General Election in August 1910, and the murder of a distinguished member of the party, Dr. Miguel Bombarda, in October precipitated the Revolution that replaced the Monarchy by a Republican régime.

The Portuguese nation, whether it acquiesced in or welcomed the change, was not to gain in the long run. The political life of the people was not improved, and the country continued to be torn by constant dissensions. Where hitherto there was some—however little—semblance of order, chaos was soon to appear, since for the next fifteen years Portugal was ruled by a series of weak and incompetent governments. An attempt, indeed, was made to improve matters when in 1917 Sidonio Paes established a military dictatorship; but he was assassinated in December 1918, and the country entered once more upon an era of anarchy and instability. The economic and financial situation was equalled only by the inability of the State to remedy it. The nation was bankrupt; the budget had for a century shown a deficit, while for fifty years Portugal had subsisted on loans, internal and external, the charges on which were generally ruinous. With the advent of the Republic in 1910 a temporary improvement was noticeable, and for the first two years the deficit in the public accounts did not show an increase, while in the two years 1913-1914, there were positive balances of 600,000 and 6,660,000 escudos respectively. But with the advent of the Great War Portuguese finance lapsed once more into its former confusion, and this confusion only grew to greater proportions during the post-war years. In 1920 a vast inflation of the currency took place, and during the following year foreign trade was paralysed: a grave situation in a

country that imports raw material and food stuffs on a deficient commercial balance. In 1924 a stabilisation of the currency at 90 escudos to the pound had the effect of impoverishing many people and of reducing wages enormously, whilst leaving the standard of living unchanged. Worst of all, this stabilisation failed to improve the budget figures, and the nation became conscious that salvation must be sought in a radical change of the administrative system.

This was the state of affairs that led to the *coup d'état* of the 28 May 1926, when the army, led by General Gomes da Costa, carried out what is still called the National Revolution. Parliament was dissolved and its system of government abolished, for the Dictatorship was determined to attack the national ills at their source. The grave financial and economic situation was immediately tackled, and it was here that the Dictatorship began a series of experiments that have met with a considerable amount of success. Possibly the most important has proved to be the appointment of a university professor to the Ministry of Finance. General Gomes da Costa, when questioned by a journalist regarding the personnel of the new Cabinet, answered: "The Government is the only one that could be found at such a moment. The Minister of Finance is a certain Salazar of Coimbra; I am told that he is very good." The first experiment, it has been said, was possibly the most important, for at the time it was clear that the justification of the Dictatorship rested on the successful solution of the financial and economic problems.

The new Minister of Finance, Dr. Antonio Oliveira Salazar, to whom the credit of Portugal's striking economic recovery is chiefly due, was born forty-five years ago of humble parents in Vimeiro (Santa Comba Dao). At first he was intended for a commercial career, but owing to his delicate constitution this was rendered impossible, and he then entered the Seminary of Viséu with the intention of studying for the Church. It was here that Salazar, under the direction of the Rector of the Seminary, first acquired his attraction for sociological studies, and when he abandoned his intention of entering the Church, he was advised to take up these studies in earnest.

In the year 1914 he obtained his Licentiate in Laws at the University of Coimbra, and was immediately appointed to the teaching staff as a lecturer in Economics. During his period as a lecturer he prepared and presented a thesis for the Doctorate in Economic Science, and in 1916 he was appointed to the chair of Economics and Finance in the same University. After a careful study of the economic and financial problems of his country, he published a series of articles on the subject that attracted considerable attention at the time, for the crises were then at their height.

When, therefore, the Dictatorship of 1926 was established, the new executive not only understood that the national problems could only be solved by an honest effort to improve the finances of the State, but moreover that only an expert in this matter could save the nation from disaster. Salazar was thereupon invited to take charge of the Ministry of Finance. He agreed to accept office on one condition, namely that he would hold a veto on all matters of national expenditure. This condition, however, appeared too extreme to the Military Council, and Salazar withdrew once more to his academic sphere. For two years all further attempts to remedy matters failed, and symptoms of civil disturbance began to show themselves once more. To prevent such from occurring the Government approached the League of Nations with a view to negotiating a loan ; but as the League demanded in exchange a right of control, the Government preferred to accept Salazar's conditions. Accordingly, on 27 April 1928, he became Minister of Finance and virtual Dictator of Portugal.

In a speech before the Council of State on assuming office Salazar formulated the following conditions agreed upon as being essential for the fulfilment of the duties imposed upon him by the nation :—

(1) That each Minister undertakes to limit and organise his Department within the decrees that shall be imposed upon him by the Minister of Finance.

(2) That all measures to be taken by the various Departments, if they have a direct bearing on the income or expenditure of the State, shall be previously discussed and adjusted with the Minister of Finance.

(3) That the Minister of Finance shall have the power to oppose

his veto to all increase of current or ordinary expenditure and to all expenditure for Public Works.

(4) That the Minister of Finance undertakes to collaborate with the various Ministers in all measures relative to the reduction of expenditure and the levying of State income, in order that these may be organised according to uniform principles.[1]

Even with these conditions granted, Salazar pointed out that unless the nation were prepared to make the necessary sacrifices, little could be accomplished. In order to show the necessity for such a spirit of sacrifice, he enumerated the national problems in a discourse to the representatives of the Army, placing them under four main headings: the financial, economic, social and political problems. These problems were not distinct and independent in themselves, but were so interwoven that to solve one of them was to solve them all. "It is evident that the finance of a country cannot be sound where the body politic itself is not so; and that the soundness of finance also depends on the economic prosperity of the nation. But the neglect of the social problem reacts on this prosperity and consequently on finance. Therefore, since we cannot solve all these problems together, it will be necessary to study them and to determine the order in which they may be solved. This order will be revealed in the interdependence of the causes and of the effects of the problems themselves taken in harmony with the dominant cause."[2] Salazar's study of these problems had led him to the conclusion that unless the finances of the State were set on a solid basis, nothing permanent could be accomplished, and indefinite recourse to credit would be the result. Were this credit to fail, it would be necessary to increase the issue of paper money, that is, of false notes since they would be without covering. The stabilisation of the currency was therefore of the greatest importance, but this could not be attained without a solution of the financial problem.

Again, if the financial and economic problems were left unsolved, Salazar showed how this must necessarily result in grave social unrest. "There are classes who make their living by the changes in value caused by the inflation of the

[1] Salazar: *Discursos* 1928-1934, p. 4. [2] ibid., p. 12.

currency. He who owes money gains by it, whilst he to whom money is due loses. The result is that social difficulties follow—for example, those between employers and employees."[1] The social problem, he asserted, is that of the distribution of wealth, which cannot be solved without an increase in production—without an increase in wealth. And without an increase in wealth the just demands of neither employer nor employee can be satisfied. Where wealth does not exist, it cannot be distributed. In such a condition of things, legislation for the protection of the worker would avail little; it would be no better than a plaster on a virulent ulcer. In order, then, that the worker should receive a proper return for his labour, Salazar pointed out that production must be organised, intensified, and increased in value; and for this both employers and workers should co-operate harmoniously. But in this work of economic reconstruction he felt that he ought to lead the way by setting his own house, the Ministry of Finance, in order. With the financial and economic problems solved, the political and social problems could be settled more easily.

Salazar, therefore, subordinated everything else to the work of balancing the Budget. To effect this he demanded the most rigid economy on the part of the Portuguese people. All superfluities must be avoided both by individuals and by the State; civil and penal measures must be imposed on heads of Departments who allowed Budget provisions to be exceeded. By these and other means Salazar was successful in putting a stop to all financial abuses, and the nation was electrified when at the end of his first year in office, instead of the usual deficit, he was able to show a surplus of 285,650,000 escudos. Since that first year 1928-29 there has always been an annual surplus as the following table, taken from the *Financial Times* of the 7th October 1935, shows:—

	contos		contos
1928-29 ..	285,650	1931-32 ..	150,002
1929-30 ..	40,161	1932-33 ..	83,432
1930-31 ..	152,102	1933-34 ..	129,852

(Conto equals 1,000 escudos; 110 escudos equal £1).

[1] ibid, p. 15.

With the solution of the financial problem economic recovery was made possible. The international credit of the country improved from day to day, thus creating a basis for those operations of credit that were indispensable for the improvement of production and the increase of wealth. To aid both Industry and Agriculture Salazar established the *Caixa Nacional de Credito*, a bank which granted credit on easy terms to farmers and industrialists. The means of transport were improved—large sums being spent on new and old roads—and a hydro-electric scheme was set on foot to provide cheap current for factories. Salazar does not allow the State to interfere in the internal management of industry; its function is limited to that of organisation.

When he had put the economic question on the road to a solution, Salazar turned his attention to the political question; he felt that the country must return to some form of constitutional government. As it was clear that the Constitution of 1910 had proved to be unsuited to Portuguese character and tradition, his task resolved itself into discovering some other form more in keeping with that mentality. To prepare the nation for this new régime it was necessary to remove certain obstacles—remnants of the old political spirit that had done so much harm. Of these the chief was the party spirit, which had been the principal source of Portugal's financial and political decay. In 1921, when a revolutionary movement of an anticlerical nature had taken place, Salazar had helped to organise the Catholics into a party—the Catholic Centre—for the defence of the Church. At the time he had been forced to make use of this weapon although, even then, he had come to realise the evil wrought in his country by political parties. With his own advent to power, however, and with the task of national reconstruction before him, it was his intention to liquidate all political parties. He began by withdrawing from the Catholic Centre and by diverting the activity of this party into the sphere of Catholic Action. All other parties then became illegal, since they militated against the doctrine of national unity. Salazar asserted that the strength of the *Estado Novo*, the New State,

would depend upon its unity; and to this end he commenced the formation of an organisation called the *Uniao Nacional*, which everyone, save political disturbers of the peace, would be at liberty to join. This organisation, formally founded on the 30 July 1930, had its ramifications in every municipality and parish; it was the only body recognised as representative of the people and the only body officially informed of the measures to be adopted for the reorganisation of the State. It was its duty to form itself into a vast medium of propaganda and of economic organisation.

Towards the close of 1931 a group of lawyers, university professors, and eminent business men began a series of meetings with a view to drawing up the future Constitution. Salazar was the leading spirit in this undertaking; and his doctrine, that the future Portuguese State should be organised on a corporative basis, was taken as the foundation on which the new Constitution was built. On the 28 May 1932, the first official draft was published, and the army and the nation were invited to examine and discuss it. When this had been done, the Ministry resigned and the President of the Republic, General Carmona, appointed Salazar as President of the new Cabinet. Although he still retained the Portfolio of Finance, Salazar had now a new duty imposed upon him, that of organising the country on corporative lines. In this he has proceeded by degrees and with great tact, as can be understood when we realise the success of the process in a country imbued with socialistic principles. Beginning with the exporting industries, he first of all reorganised two bodies that were already in existence, the Sardine and the Port Wine exporters —*Consorcio das Sardinhas* and *Casa de Douro*. As matters progressed, he was able to unite almost all the agricultural and industrial activities under the following Corporations :— Cereals and Cattle Breeders; Wine Producers; Forestry; Agricultural Produce; Fish and Conserves; Chemical Products and Quarries; Textile Industry; Electricity; Building and Building Materials; and Transport. To these original ten Corporations others were added on the 3rd January

of last year :—Graphic and Printing Arts ; Credit and Assurance ; Commercial Activities without distinction ; Tourism ; Spiritual and Moral Interests ; Science, Literature, and Art ; Physical Training and Sports ; Politics and General Administration ; National Defence ; Public Works and Communications ; Colonies ; Local Government ; and Finance.

The text of the new Constitution, which was approved by a National Plebiscite on 19 March 1933, is divided into two main sections, of which the first sets down the fundamental principles and guarantees upon which the *Estado Novo* rests. According to its terms the new State of Portugal is a " unitary and corporative republic based on the equality of the citizens before the law, the free access of all classes to the benefits of civilisation, and the participation of all the constituent elements of the nation in the administration and in the making of laws." Chief among these elements is the family, and its rights—which are defined in strict keeping with Catholic social principles—are guaranteed by the State. Second only to the family are placed the Corporations—both moral and economic—and in Articles 14 and 15 their status is defined. Special laws defining in greater detail this corporative organisation were promulgated on the 23rd September 1933. They consist of six acts or statutes ; but a discussion of these various acts would be beyond the scope of this article. The reader will find the whole matter admirably treated in chapter IV of Père Muller's *La Politique Corporative* (Brussels 1935).

According to the new Constitution the head of the State is the President of the Republic, who is elected by national suffrage for a period of seven years. His powers include those of dissolving the Chambers and of appointing and dismissing the various Ministers ; the latter, consequently, are responsible, not to the Assemblies, but to the President of the Republic alone. The President is empowered to summon, in case of emergency, the Council of State, which must consist of the Prime Minister, the Presidents of the two Chambers and of the Supreme Court, the Procurator General, and five other members to be named by himself alone. The National

Legislature is composed of two Houses, the National Assembly and the Corporative Chamber. The first of these consists of ninety deputies elected by the national vote, which is limited to men of legal age who can read and write and to women of legal age who hold a certificate of secondary education. The National Assembly is the legislative body. The Corporative Chamber, on the other hand, is essentially a consultative body composed of experts in industry and social interests; its members are elected by the votes of the various Corporations. Until the views of this Chamber on intended legislation have been received, the National Assembly cannot proceed to legislation—cannot make laws; but the Corporative Chamber is not allowed more than thirty days in which to present its views. This, in the main, is the structure of the new governmental system in Portugal.

Salazar has distinguished for us his fundamental principles, as contained in the new Constitution, from those on which modern Italy has based its regeneration. Many of his friends in Portugal were anxious that he should take his stand on the Fascist doctrines as a disciple of Mussolini; but he had already examined the system and realised the impossibility of applying it to Portugal. In a series of interviews granted to Antonio Ferro, a journalist, he shows the contrast between the Portuguese Dictatorship and that of Italy.

Our Dictatorship [he says] is at one with Fascism in reinforcing the authority of the State, in declaring war on certain democratic principles, in its national character, and in its efforts on behalf of social order. It differs vastly from it, however, in the methods employed to attain these ends. The Fascist Dictatorship tends towards Caesaropaganism, that is, a new concept of the State, one that knows no limits either in the juridical or the moral order, that allows no obstacles to stand in its way as it marches towards its goal. Mussolini, as everyone knows, is a splendid opportunist; sometimes he tends towards the Right, sometimes towards the Left. At one moment he is attacking the Church, but shortly afterwards he signs the Lateran Treaty, and then a few months later he calls for the dissolution of the Catholic Associations in Italy . . . . I do not question the great work done by Mussolini in the matter of purifying the moral atmosphere in Italy. I assert, however, that certain pronouncements and attitudes in regard to questions of the moral order have been superimposed on Fascism

by Mussolini, and not the other way round. He wishes that these things should be so, but he could equally wish them otherwise without contradicting himself. The limits within which we, on the contrary, are obliged to work are defined by the fundamental principles of the Portuguese State. Our laws are less severe, our ways are less supervised, for our concept of the State represents it as less absolute, and we do not assert its omnipotence.[1]

In his discourses on questions concerning the *Estado Novo*, Salazar repeatedly rejects this idea of the omnipotence of the State. For instance :—

We must drive away from our minds any idea that tends towards the formation of what is called the Totalitarian State. That State which subordinates everything—the moral order, law, policy, economic life—to its concept of the nation or race ; which considers itself omnipotent, its own first principle and last end ; which controls all activity whether individual or collective . . . . is essentially pagan and consequently incompatible with our Christian civilization. Our Constitution approved by the plebiscite rejects, as irreconcilable with its objective, all that proceeds directly or indirectly from this totalitarian principle. It begins by establishing the laws of morality and justice as limits to its own sovereignty. It imposes on the State the obligation to respect the natural rights of individuals, families, corporations, and local bodies. It assures freedom and inviolability of religious beliefs and practices ; and protects the right of parents or their representatives to the education of their children. It guarantees the rights of property, capital, and employment in social harmony. It recognises the Catholic Church, with its own organisation, and freely leaves to it the care of the spiritual interests of the people. In a word, Portuguese nationalism, if it is to be what it is ordained to be by the Constitution and what sane tradition demands that it should be, must maintain undefiled these ideas—and others which, alongside the concept of a national and authoritative State, are essential to that of the *Estado Novo*.[2]

Another characteristic that differentiates the two dictatorships is to be found in their methods of achieving the desired end. The systematic employment of violence in the practical application of principles, which is the logical outcome of the Fascist doctrine of the omnipotence of State, is not applicable, according to Salazar, to the Portuguese situation. Mussolini upholds this right to employ violence in one of his speeches as

[1] *Salazar : Le Portugal et son Chef*, par Antonio Ferro. (Grasset, 1934, 15 fr.), p. 147.
[2] Salazar : *Discursos*, p. 336.

follows :—" Violence for us is far from being a sport or amusement. Like war it is a dire necessity in certain periods of history, but we must ever preserve in our hearts the dream of a peaceful and industrious Italy, of a land in which all shall feel themselves to be the children of a common mother, linked together by the same destinies."[1] Salazar, on the other hand rejects this principle of violence where Portugal is concerned : " Violence, which is the direct and constant outcome of the Fascist Dictatorship, is not applicable to our conditions, nor can it be adapted to our customs. . . . I agree with Mussolini as regards Italy, but not when applied to Portugal. Violence may, indeed, be advantageous for certain epochs in history, not however where our race and customs are concerned."[2] Salazar looks rather to the results of his policy as a means of capturing the allegiance of his people, and his success has left very little to be desired. Opposition to his plans, as Bainville remarks, " is weak and feeble in face of the brilliant success, material and moral, of the government of Salazar. This dictatorship has imposed itself without violence, by the loyalty and fairness of its methods, by the real prosperity and the service it has rendered to Portugal at the very moment when the entire world was in the throes of crisis. It is the most honest, the most wise, and the most balanced dictatorship in Europe, as well as the most exacting in the application of principles."[3]

Before concluding this paper a word should be said about the character of Dr. Oliveira Salazar, the man towards whom the gratitude of his countrymen is directed to-day. His greatest attraction is his lack of ostentation, which has not always been understood or appreciated by his people. Shunning publicity, he avoids any unnecessary appearance in public. For years he was Portugal's mystery man, for he seldom left his office in the Ministry of Finance, so that the nation only knew him from photographs that appeared from time to time in the press. During his period as Minister of Finance he granted very few interviews, but anyone in the nation was at liberty to write and place his complaints before

(1) Salazar : Le Portugal et son Chef, p. 150.
(2) Salazar : Le Portugal et son Chef, p. 151.
(3) Jacques Bainville : Les Dictateurs (1935), p. 270.

him. Salazar's habit of secluding himself at first caused resentment; for he had become the people's idol, and, in keeping with their Latin temperament, they wanted to behold him in order to show their appreciation in their impulsive way. They apparently hoped to see him emulating the modern concept of Dictator by appearing before them with arm raised aloft and brows contracted in a majestic frown to denote his strength and determination. He failed to satisfy these hopes, and from resentment they passed to all manner of complaints, which they voiced loudly in the public places of the cities. Symbols and external show have their place in the government of a people; but Salazar has given the Portuguese something more substantial, and they have now passed from resentment to wonder, and from wonder to admiration of the man. His profound Catholic faith, his high moral integrity, his unselfish and unwearying devotion to the common good, his monastic seclusion and simplicity of life have all finally won the hearts of his people. If he does not often show himself to them in public, it is because he is working hard for them in secret. His home is still the same modest house at Vimeira, where his sister is still a school teacher. He avoids society because he considers that society places us under obligations to it, and a Minister of Finance in Portugal to-day cannot afford to be under obligations to anyone but the nation. This integrity is so apparent in all his actions that it has wrung from one of his most resolute opponents the following remark: "It cannot be denied that he is a man of worth, an honest man." To those of his fellow-countrymen who are still somewhat sceptical of their Prime Minister, Antonio Ferro makes an appeal, asking for trust in the man and in his work. "He is alone, heroically so, working for us all. Let him go his own way, and let him go as he wishes that he may arrive the sooner. Let us await patiently for him to fulfil his promises. To this Dictatorship there is joined no violence, save that which he uses towards himself. And now that we do understand him, let us go each his own way, making no noise. Let him work" (p. 267).

THOMAS J. O'DONNELL.

REVIEWS

The Church

HISTOIRE DE L'EGLISE depuis les origines jusqu' à nos jours. Publiée sous la direction d'Augustin Fliche et Victor Martin. II—De la fin du 2e siècle à la paix constantinienne. Par J. Lebreton et Jacques Zeiller. Paris : Bloud et Gay. 1935. 60 fr.

THE CATHOLIC EASTERN CHURCHES. By Donald Attwater. Religion and Culture Series. Milwaukee : Bruce. 1935. 3 dollars. (To be obtained from Fitzpatrick, Dublin.)

Messrs. Fliche and Martin's monumental history of the Church, the first volume of which was reviewed in our issue for June 1935, is making rapid progress, and now covers the whole period before the liberation under Constantine in 312. As in the first volume, Father Lebreton and M. Zeiller share this second instalment between them. This work, by its scope, its thoroughness, and its authority, seems certain to take the first rank among Church histories for a long time to come. Its appearance, at least as far as these early volumes are concerned, is fortunate in its time, for a period of intense research that might almost be called classical is evidently now drawing to a close ; and many of the conclusions it embodies may well be regarded as final.

As before, Father Lebreton deals with the inner history of the Church, its doctrines, ritual, and apologetics, while M. Zeiller discusses its contacts with the outer world, the persecutions by the State, episcopal organisation, the early history of the Holy See, and the part played by Christians in the civil and military life of the Empire. Each chapter is a fully-documented treatise on its subject. Father Lebreton begins with an account of Gnosticism and the struggle against it, devoting particular attention to the work of St. Irenaeus of Lyons, and then passes to the Roman controversies of the early third century, especially those centring round Hippolytus. M. Zeiller then takes up the story of Church and State from Severus to Decius, dealing with such subjects as the religious views of Alexander and Philip, and leaning perhaps rather too much to the belief that the latter may have been a Christian. In the next section he treats of the expansion of Christianity over the Roman world, afterwards bringing the story of the persecutions down to the beginning of Diocletian's reign. The middle of the book is occupied by Fr. Lebreton's very important and valuable account of Christian literature from Tertullian to Lactantius and of the literature of the pagan opposition. As with the New Testament writers in the first volume, each section contains practically a commentary on the works discussed in it, and the treatment especially of Tertullian, Clement, and Origen will be of the greatest value to students. In minor sections also the hand of the master may be felt ; nothing better has been written on Manichaeism, for example, than Father Lebreton's half-dozen pages, which take full account of recent surprising discoveries.

The last third of the book is again the work of M. Zeiller, who treats of ecclesiastical organisation, the Roman See, and the final persecution under Diocletian, Galerius, and Maximin Daia. The section on the Roman See is especially important, and M. Zeiller makes short work of extravagant modern theories like that of Caspar, who held that the supremacy of the Pope was merely a by-product of Tertullian's polemic in his *De Pudicitia* against Pope Callixtus. In a later chapter M. Zeiller gives a full account of the Catacombs and their art, stressing the importance in this regard of recent finds at Doura-Europos. In dealing with the end of the persecutions, he is inclined to regard with some favour Grégoire's view that Licinius was more responsible for it than Constantine, both acting from political rather than religious motives. The third volume should throw further light on this labyrinthine problem.

Catholics in these countries are in general woefully ignorant of the Eastern branches of the Church, particularly those in communion with Rome. Mr. Attwater's beautifully-produced book will do great service in spreading knowledge on a subject of surpassing interest. It is published in a series of manuals under the direction of the American Jesuit Fathers. Abundantly illustrated and equipped with a bibliography and a useful glossary, it gives a wide range of information on the Byzantine, Alexandrian, Antiochene, Armenian, Chaldaean, and other Eastern rites, with special chapters on the schism of the East and its effects, on Eastern Monasticism, and on the great efforts made by the present Pope towards a reunion with the schismatic churches. Mr. Attwater points out that it is inadvisable for Catholics to speak of their brethren of the Eastern rites as " Uniates," a term used offensively by non-Catholics and repudiated by those of whom it is used. He shows how, apart from obvious distinctions such as the marriage of the lower clergy, Communion in both kinds, and baptism by immersion, there is also a difference in temperament, most marked of course in the schismatic churches, in that the East leaves more to the individual conscience whereas the West, with its Roman tradition, embodies the obligations of religion and morality in positive law.

Another very interesting part of his book is his discussion of " hybridization," the intrusion of Latin usages into Eastern rites, which has been very much discountenanced by Rome (though Mr. Attwater's index, under " Latinization," appears to imply that it is approved of). Those who had the privilege of attending the Mass in the Slavonic rite celebrated in Dublin during the Eucharistic Congress will have a vivid memory of its beauty, and will be all the more interested in the wonderful variety in unity which is characteristic of the Eastern Church. The visit of Mar Ivanios to this country for the Congress gives a special interest to Mr. Attwater's account of his flock, the Malankara Catholics,

and recent events in Ethiopia to his description of the Coptic and Ethiopian rites. M. T.

Biography

THE LIFE AND TIMES OF ST. AMBROSE. By F. Homes Dudden. 2 vols. Oxford : Clarendon Press ; London : Milford. 1935. 35s. net.

SAINT JEAN CHRYSOSTOME. Maître de Perfection Chrétienne. Par Louis Meyer. Paris : Beauchesne. 1934. 32 fr.

SAN JUAN CRISOSTOMO y su influencia social. Par A. C. de Albornoz, S.J. Madrid : Instituto Pedagógico F.A.E. 1934. 12 pesetas.

Dr. Dudden's great work on St. Ambrose is alike in its format, the breadth and solidity of its learning, the attractiveness of its style and the generous abundance of its treatment, one of the finest works of its kind that has appeared for many years. In reading it, one is positively astonished to discover the variety of information that scholarship and good judgment combined have been able to bring together to illustrate the life of the fourth century. It is far more than a mere biography : its early chapters on Rome and Roman Society and on the Western Empire under Valentinian I are models of historical writing, and its author is at all points willing—at no detriment, it must be said, to the easy flow of his narrative—to discuss fully even extraneous questions bearing only indirectly on the Saint's life. Examples of this pleasing tendency are his attractive chapters on the early life of St. Augustine, who came under the influence of St. Ambrose at Milan, and on the sedition at Antioch in 387 and its sequel. Dr. Dudden has a gift for vivid portraiture, and his book is a gallery of character-sketches, from that of Valens " a swarthy, squinting, pot-bellied, bandy-legged little man, uncultivated in mind and boorish in manners," to that of Chrysostom " the pallid little presbyter, with his bald pate, dome-like forehead, deep-set eyes, and spidery frame."

The life of St. Ambrose has been often discussed in all its details by scholars, and Dr. Dudden is master of their conclusions, while being thoroughly independent in his view of the evidence for them. Thus he follows the important work of Palanque (reviewed in Studies for March 1935) in dating St. Ambrose's second embassy to Maximus after, and not before, his struggle with the Arian Empress Justina, a conclusion which puts the embassy in a totally new light ; but he disagrees with Palanque in holding that there were two instead of only one crisis as between Saint and Empress. In an important Excursus to his eleventh chapter, on the services of Ambrose to Church music, he decides, after a careful review of the evidence, that only four of the hymns attributed to the Saint are certainly authentic, these being the *Aeterne*

Rerum Conditor, the *Deus Creator Omnium*, the *Jam Surgit Hora Tertia*, and the *Veni Redemptor Gentium*. Three more are in all probability his work, the rest being highly uncertain.

The importance of St. Ambrose, the Roman magistrate made a bishop against his will and then developing extraordinary power as leader, preacher, doctor of the Church, and mystic, for the history of Western Christendom cannot be exaggerated. Almost as much as St. Augustine himself, whom he could not of course equal as philosopher and man of letters, he is a fountain from which a great amount of medieval thought takes its origin. Most of all, as has been often repeated, does the medieval theory of the relation between Church and State derive from his practice in contact with a succession of Emperors and usurpers, ending with the formidable Theodosius the Great himself. Dr. Dudden deals very fully with this aspect of his life, as well as with his position as leader of the Church in a series of Councils, his dealings with Popes and heretics or men suspected of heresy such as the unfortunate Priscillian, and with the liturgical practices of his day and his contributions thereto. The second volume ends with two long chapters on the Saint as teacher of ethics and as theologian, and one on his writings, their order and purpose. The chapter on his ethics succeeds excellently in bringing out on the one hand the Stoic framework of his teaching and on the other the complete transformation affected by Christian doctrine in the old pagan categories of the philosophers. Perhaps the one weakness of the book is a tendency in these chapters to treat St. Ambrose's teaching in too much of a vacuum and to express surprise at some of its aspects, as for instance his doctrine on property, as if they were not common to all Christian thought.

Father Meyer's work on St. John's spirituality belongs to a series published under the direction of the Professors of Theology in the Institut Catholique of Paris. It is a very thorough and solid piece of work, covering every aspect of St. John's thought on spiritual growth and perfection, in each state of life, monastic, sacerdotal, and secular. Its first chapter is a valuable account of his spiritual formation, the struggle in his soul between the monastic and the priestly ideals, which finally made him into the devoted and courageous Bishop and Confessor and one of the greatest preachers of all time. Of great importance is his central idea of sanctity as the true philosophy, inherited from the doctors of Alexandria, in which Christianity sublimated and transcended all that was best in pagan thought. St. John was at once a true disciple of St. Paul, profoundly versed in Scripture, and while not as original as St. Basil or St. Gregory of Nyssa, a powerful thinker as well as man of action and exponent of the finest graces of Hellenism.

Another aspect of the same great man is brought to the front by Fr. Albornoz's attractive little book on St. John's influence in the social life of his time. It is the forerunner of a series of promised studies towards the establishment of St. John's text and the canon of his works. Its first sixty pages are devoted to bibliography, and it is illustrated throughout with good photographs of MSS. from Oxford, Cambridge, London, and Brussels. Its three succeeding chapters deal successively with the Saint's work in relation to slavery, free labour, and the question of property. The last of these has a special interest by comparison with Dr. Dudden's remarks on St. Ambrose above referred to. Great surprise has been expressed in St. John's case also by modern commentators on account of his apparent denial of the right to private ownership. Fr. Albornoz studies both the comments and the texts on which they are based, and shows that St. John did not go beyond the teaching of the Gospels, which has of course been at all times that of the Church. Neither of the two Saints was a socialist, and neither contradicted himself. M. T.

THE LIFE AND LETTERS OF JOHN GALSWORTHY. By H. V. Marrot. London : Heinemann. 1935. 21s.

All Galsworthy's books are well written. But most of his readers would not hesitate to single out the earlier part of the *Forsyte Saga* as far excelling the rest in life and force. And not a few must have suspected, partly because of the greater vividness, that in this book they came very close to the author's real experience ; that he must have suffered in such a triangular drama ; that the father, uncles and aunts must have been drawn from a real family, most likely his own. All this Mr. Marrot substantially confirms ; and it is the most interesting thing in the book.

Next in interest, perhaps, is something also concerning the *Saga* : the manner of Bosinney's death. This part of the story had least basis in fact, and gave Galsworthy most trouble. A number of letters exchanged between him and Edward Garnett are given, in which we see the episode gradually reaching its present form. It is a fine glimpse into the processes of the dramatic imagination, working in collaboration with the sort of criticism appropriate to it.

The early part of the biography is not very interesting. Sixty pages are spent at Eton and Oxford, indispensably, as this is an official biography, but dully, as Galsworthy showed no early promise except on the playing field, where his successes are so many that they pall. More interest comes with manhood, as revealed in a set of travel letters from the many parts of the world to which a wealthy father, indulgent and apprehensive of mischief, sent him on unimportant business. Fortune put him for a long voyage in Conrad's ship ; which, if it did

not make him a novelist, gave him a most valuable adviser in his early attempts, as well as a life-long friend.

Mr. Marrot tells in great fullness how each of Galsworthy's books began, the progress of the writing, the alterations, completion, reception ; he tells of literary and other friendships ; of endeavours in many humanitarian causes. He illustrates lavishly with photographs, extracts, letters—but, his intimacy with his subject being late and short, few conversations.

Perhaps, in any case, Galsworthy was not a remarkable talker. As a letter-writer he is intelligent and generous, not brilliant. The best letters are to, not from him. There are four from Chesterton, Bennet, Shaw, Hardy, each refusing, in characteristic style, to sign a protest against the use of aeroplanes in war which Galsworthy got up in 1911. The episode is amusing, perhaps telling. Galsworthy shows himself an admirable humanitarian, but the others show humour and knowledge of life, things more necessary to the artist.

Mr. Marrot's book will be indispensable to the serious student of Galsworthy. J. J. H.

IRISH SWORDSMEN OF FRANCE. By Richard Hayes. With a Foreword by Rev. Patrick Browne. Dublin : M. H. Gill. 1934. 19+307 pp. 15s.

Irish Swordsmen of France is the fruit of much painstaking research among French archives. It gives interesting information concerning a number of Irish officers serving in the French army towards the middle and end of the eighteenth century. The careers of six of them receive special treatment. They are Generals Theobald Dillon, James O'Moran, Charles Kilmaine, Arthur Lally, and Colonels Arthur Dillon and Richard Warren. In an excellent Foreword Dr. Patrick Browne of Maynooth College points out that Dr. Hayes's book, when read in conjunction with Gaelic poetry, leads to an opinion on Irish politics of the eighteenth century very different from that of our Victorian and post-Victorian writers. Dr. Browne pictures the eighteenth century as a period of vigorous Irish national activity, in which nobles and commons were united around their uncrowned Catholic king, and in which a great overseas Irish army planned invasions of their native land. Any one of these invasions might, but for an accident, have succeeded. They failed, "and Ireland," says Dr. Browne, "dropped out of international politics, forgot her European relations, and sank into second-rate isolation and provincialism behind the first-rate isolation and provincialism of Britain. Largely with the idea of extending this severance from the Continent to the ecclesiastical sphere, the British Government founded Maynooth College. The night that was lit by the Stuart aurora was finished, and the historically uninteresting Victorian darkness soon took its place."

It is to be hoped that one day a history of eighteenth century Ireland will be written on the lines suggested by Dr. Browne. The background for such a history would have to be formed from Irish poetry. In Dr. Hayes's book would be found historical material to give definition to the background and to prove that the charge of irreality made against Irish Jacobite poetry is undeserved. G.M.

LORD CHESTERFIELD. By Samuel Shellabarger. London : Macmillan. 1935. 15s.

Professor Shellabarger has in this new volume chosen to present a character in notable contrast with the Chevalier Bayard, the subject of his last study. There was courtesy, polish, grace, but no chivalry in Chesterfield. He was a cold, calculating, double-faced man, an egoist of the most extreme kind, full of self-seeking and ambition. " I began the world "—he says and the description is true of his life to the end—" not with a bare desire, but with an insatiable thirst, a rage for popularity, applause and admiration. . . . To men I talked whatever I thought would give them the best opinion of my parts and learning, and to women what I was sure would please them—flattery, gallantry, love. And moreover I will own to you . . . that my vanity has often made me take the greatest pains to make many a woman in love with me, if I could, for whose person I would not have given a pinch of snuff. In company with men I always endeavoured to outshine or at least, if possible, to equal the most shining man in it. . . . By these means I soon grew in fashion, and when a man is once in fashion all he does is right. It was an infinite pleasure to me to find my own fasion and popularity."

It is not, however, so much for the figure that Chesterfield cut in the gay life of the 18th century as for the fact that in him can be studied " under the most favourable light, during its most illustrious period," " a certain imperishable human type," that Professor Shellabarger has thought, and rightly thought, it worth his while to give us this new biography. The book, consequently, is less a biography of Lord Chesterfield in the ordinarily accepted meaning of the word, than a study of Lord Chesterfield's philosophy of life and its working out in the details of his own practice. It is cogently written, interesting from start to finish, and skilfully diversified by the vivid presentation of memorable episodes and persons from the past. With a less gifted author these digressions might have resulted in an interruption of the narrative, but by Professor Shellabarger they have been successfully used to add interest and colour to his book. No apology is made for Chesterfield's weaknesses and self-seeking, nor is there any attempt to whitewash his character ; for having advanced that " biographical problems, as a rule, would be much simpler if biographers enamoured

of their heroes did not muddy the waters by too ingenious apologies," Professor Shellabarger is careful to avoid this fault himself. Still by creating what one might call 'atmosphere,' by counterbalancing the scandals attaching to Chesterfield's own actions by reference to others with which he had no connection, Professor Shellabarger deftly rescues Lord Chesterfield from the full force of our censures. Here one might well complain that there was already enough that was sordid in Chesterfield's own life without extending the catalogue by reference to the lives of others.

In what he writes Professor Shellabarger has allowed himself to be neither led nor driven by earlier writers. His work is based almost exclusively upon Chesterfield's own writings—principally upon his Letters to his son and godson, though the name and authority of Dr. Maty, the Earl's earliest biographer, is frequently invoked. Here and there in the book there is a small point at fault, as for example where we are told that Dr. Chenevix, Chesterfield's Domestic Chaplain at the Hague, was later appointed bishop of Clonfort, instead of Clonfert (a mistake repeated as often as the name recurs). Then again, on p. 225 we are told that Chesterfield, at the conclusion of his Viceroyalty in Ireland, set out for England on April 23rd, while sixteen pages later (p. 241) we are told that he left Ireland in the middle of June. On p. 233 a mistake of greater moment is made where the author states that the Gavel Act against the Catholics "automatically made any Protestant relation of a deceased Papist his sole heir," whereas in point of fact the Act had respect to real estate only and was aimed at the destruction of any large estates still in Catholic hands by requiring that at the death of the Catholic proprietor these estates should be *equally divided* amongst his children if they persisted in remaining loyal to their faith.

Small inaccuracies of this kind are, however, quite immaterial to Professor Shellabargar's main thesis, the study of a type rather than of a man; though whether this type—at least in the highly developed degree exemplified in Lord Chesterfield—is quite as common as he seems to believe, is perhaps open to question. Here each one's own experience must be his mentor. In conclusion it must be admitted that having exposed Lord Chesterfield in all his shallowness and weakness, the sorry disciple of a sorry philosophy, it is no mean achievement on the part of Professor Shellabarger that he is still able to wring from us a certain sympathy and admiration, albeit undeserved, for the unruffled calm with which Chesterfield accepted the crippling of every hope he cherished and every ambition he loved. All glamour and tinsel without, his life was barren and empty within, with an emptiness known to none better than to himself; for though he might fool the world at large, he was never a

victim of self-illusion. Dogged by the shadow of an inexorable fate, he saw his goal approach and then recede, until at length—deaf, decrepit, disillusioned, weary of the world and of men—he sank unmourned into a grave upon the brink of which he had tottered for little short of half a generation. C. O'Conor

Celtica

GEIRFA BARDDONIAETH GYNNAR GYMRAEG. By J. Lloyd-Jones, University College, Dublin. Part III. Kwynaw-Dauyd. University of Wales Press and Oxford University Press. 1936. 12s. 6d. (to subscribers 10s.).

This is the third fasciculus of Professor Lloyd-Jones's monumental Dictionary of Early Welsh Poetry. Welsh literature is fortunate in possessing an imposing collection of ancient poetry. Apart from the literary and historical interest of this collection, these early poems are a rich mine for the linguist. Most of this material is preserved in the four great books : *The Black Book of Carmarthen, The Book of Aneirin, The Book of Taliessin* and *The Red Book of Hergest.* But the richness of the material is almost equalled by its difficulty and obscurity. The ancient poems are full of perplexing difficulties, difficulties which can only be solved by the painstaking collection and collation of examples.

In this work Professor Lloyd-Jones is a recognised master. The book before us is a model of painstaking and conscientious scholarship. This third fasciculus contains only portions of two letters, K (with CH and CHW) and the beginning of D. But it extends to a hundred double-columned large quarto-sized (though octavo) pages, with probably an average of a hundred references to the page. This work, which is in the highest sense a scholarly one, is a truly enormous undertaking for one man. It is a work which will greatly enhance the prestige of the Celtic Faculty of University College, Dublin, which is indeed fortunate in having in the Chair of Welsh so distinguished and—if I may be permitted to say so—so genial a scholar. F. S.

A GUIDE TO IRISH GENEALOGICAL COLLECTIONS. By Séamas Pender. Analecta Hibernica No. 7. Dublin : Stationery Office. 1935. 3s. 6d.

INDEX TO THE GAELIC JOURNAL 1882–1909. Compiled by E. M. Ní Chiaragáin, B.A., Dip. in Lib. With a Preface by Torna (Professor Tadhg O Donnchadha, M.A.). Dublin : The Sign of the Three Candles. 1935. 10s. 6d.

These are two works for which all who are engaged in Irish studies will be profoundly grateful. To express thanks to those who by their own arduous labours lighten the burthens of others is always a pleasant duty.

Mr. Pender's *Guide to Irish Genealogical Collections* is an invaluable work. The importance of the Irish genealogies for the study of Irish history, particularly since the appearance of Professor MacNeill's *Celtic Ireland*, has been daily more and more realised. Those acquainted with the sources know however that these genealogies are a veritable labyrinth in which the scholar may stray and wander indefinitely. This *Guide* will make possible a study of the Irish genealogies without tears; for the investigator will have Mr. Pender for his guiding angel. This Baedeker of the hitherto untracked land of Irish genealogies is for the Irish student an indispensable work—scholarly, well-ordered and concise.

All that has been said of Mr. Pender's book can be said *mutatis mutandis* of Miss Kerrigan's *Index to the Gaelic Journal*. The *Gaelic Journal* contains within its nineteen volumes a great amount of very valuable material. But like the Irish genealogies it too may be said to be a labyrinth. Between new series and old series, varying pagination and advertisements, the searcher must pick a laborious way. But to such wanderings too we may now say: 'Good-bye to all that.' Miss Kerrigan's index, in twenty sections (including a section for Authors and Editors), does all that an index should do. The compiler was well advised to divide the matter thus into many sections. To have thrown all together—poems, plays, folklore, reviews, etc.—would have defeated the purpose of the index.

Professor Tadhg O Donnchadha contributes an excellent account of the history of the journal from its courageous beginning in 1882 to its regrettable demise in 1909. The publication of this Index should draw attention to the anomaly that no such journal exists in Ireland to-day. Professor O Donnchadha's Preface, which is in Irish, is printed in a new Irish type designed by Mr. Colm O Lochlainn. The type is very attractive, though it is not seen at its best, I think, in the large size in which it appears here for the first time. F. S.

Education

SCHOOLS OF KILDARE AND LEIGHLIN. By Rev. Martin Brenan, M.A., B.D., Ph.D., Professor of Education, St. Patrick's College, Maynooth. Dublin: M. H. Gill. Pp. 615. 1935. 10s.

A NOTABLE similarity between the titles of some of the chapters in Dr. Brenan's book and those in *The Hedge Schools of Ireland*, a book published recently by Mr. Patrick Dowling, might lead a casual observer to conclude that the ground covered by the two books was substantially the same. Yet so far from repeating each other, these two books are rather complementary, and together with Dr. Corcoran's *State Policy in Irish Education* they give a very comprehensive history of Catholic

education in this country during the 18th and early 19th centuries. Moreover, though the materials used by Dr. Brenan pertain exclusively to the Diocese of Kildare and Leighlin, there is no reason to dispute his contention that, if similar records had been kept in other dioceses, they would have had a similar story to tell.

A Royal Commission of Inquiry was, in 1824, set up to examine into the state of education in Ireland. It issued a questionnaire to every parish in the country requiring detailed information concerning the schools of the place, how they were maintained and managed, the number of pupils attending them, the religion of the pupils, and their proficiency in certain branches of learning. By a happy good fortune Dr. Doyle (J.K.L.) was bishop of Kildare and Leighlin at the time, and with that shrewdness which characterized all his activities ordered the priests of his diocese to send him a copy of the replies submitted by them to the Commission. Dr. Brenan now publishes this valuable collection of records.

But Dr. Brenan's book is more than a mere collection of documents, however well arranged. In it is to be found a very succinct appraisal of the material amassed by Dr. Doyle and an able analysis of the whole history of education in Ireland at the time. It may perhaps be objected that this essay from Dr. Brenan's own pen is impaired by excessive citation of various documents—some of which are quoted more than once in different connections (*cf.* pp. 47 and 93 ; pp. 50 and 91 ; pp. 57 and 100), while they appear again in the Appendix. But though this constant citation of documents undoubtedly interrupts the even flow of Dr. Brenan's narrative, those inserted have been chosen with such care that their omission would have entailed undoubted loss in vividness and force.

Certain conclusions already well established receive new confirmation in Dr. Brenan's book, while other less known aspects of Ireland's struggle for the Faith and the condition under which the majority of the Hedge Schools even in their hey-day were conducted are brought into prominence. The desire among Catholic parents to have their children educated as best they could, the innate pride which made them loath to accept free education, the extreme poverty of the majority of the school-masters, and the high moral standard of both teachers and schools—all these are features of the history of Catholic education in Ireland in the 18th century illustrated anew in the records published by Dr. Brenan. What is said, however, of the elaborate system of Sunday School instruction in Catechism and Christian Doctrine for both adults and children, maintained throughout the different dioceses and parishes of the country, discloses a little known field of Catholic Action cultivated assiduously by our forefathers. For these Sunday Schools, while supervised by the clergy, were conducted and directed by bodies of lay

teachers, men and women. All such instruction was free of charge, and suitable reading for those capable of profiting by it was supplied from unpretentious though numerous and comparatively well-stocked parish libraries.

If one thing more than another is clear from the burden of evidence amassed by Dr. Brenan, it is that both teachers and school-houses were as a whole incredibly poor. The average income of teachers was from " £3 to £10," and their school-houses were usually mud cabins, poorly thatched and devoid of glass in their windows so as to escape the window tax. Some did not even come up to this very infelicitous level. To cite but one example from many, on p. 64 the following account is to be found :—" The School-house is 20 feet long by 10 feet wide, side walls 4½ feet high ; it is neither thatched nor slated, but covered with bog sods ; seats of stone intermixed with bog sods and clay ; it stands on the droop of a hill ; when rain falls it passes easily through the foundation of the School, and pours copiously through the roof . . . "

But that the standard of education afforded at these schools was not of a piece with the ' miserable appearance ' of the school-masters and the wretched appointments of the school-houses is clearly shown by Dr. Brenan, who finds the surest guarantee of their efficiency and thoroughness in the fact that scholars were at liberty to transfer their attendance from one master to another at will, according as they found one better qualified than another. C. O'CONOR

Social and Political Science

SOVIET COMMUNISM. A New Civilization? By Sidney and Beatrice Webb. 2 vols. London : Longmans. 1935. 35s. net.

THESE two volumes afford ample evidence of amazing industry and careful investigation on the part of the authors. Material of the most varied kind on most aspects of Russian activity—political, social, industrial, agricultural—is here brought together in a very convenient form. The critical reader will find much to help him, the careful reader much to bewilder him, and the general reader much to lead him entirely astray. If the material garnered into these two volumes is enormous and well-ordered, it is also carefully ' handpicked.' The Webbs are ardent apostles of what they call a " new civilization."

The comprehensive survey that the authors here provide will go far to correct many prevailing errors in regard to different aspects of Russian life, and they are on safe ground when they stress the necessity of the picture being all-embracing. For the essential question is not whether this item or that item fares better or worse in the Soviet Union than elsewhere ; the vital question is one of the rival values of two

civilizations. Yet to the solution of this all-important question *Soviet Communism*, however voluminous and painstaking, has little to offer. After a careful perusal of its 1,200 pages we have regretfully to record this judgment. Prodigal details cover rather than reveal the core.

We can, however, unhesitatingly describe this work as one of the most important on Soviet Russia that has appeared. Furthermore, it is a work that is capable of itself producing important political results—in winning over the unwary to the Communist Cause. The work, coupled with the " conversion " of its authors to Sovietism, is bound to have a serious effect—decisive for some, disturbing for others. It constitutes a much more powerful piece of propaganda than anything that comes directly from Russia itself. It is free from the crudeness which characterises so much of this type of literature. As a sustained effort to present the Bolshevik experiment in the most attractive colours, this work of 1,200 pages is a remarkable achievement. There is a studied moderation of tone that renders the book all the more effective for its purpose. At the same time the authors display, whilst avoiding their blatant characteristics, all the tricks with which the great masters of propaganda have made us familiar. There is constant repetition—insinuated but not shouted—of misleading epiteths and half-truths. The reader is coaxed, cajoled, sugar-pilled into sympathy with the authors and their cause. In the consequent catalepsy of his critical faculty the reader's grasp of truth finally relaxes ; a sort of coma creeps over him.

Let us show by a few examples how this works. " Work at trade union wages is at everybody's door " is a phrase constantly repeated by the Webbs. Now, it is a well-known fact that trade unions in U.S.S.R. are mainly instruments of government ; but it is not this aspect of Soviet trade unions that the reader will find stressed by the Webbs. Neither will he find lucid information on the relevant question of the real wages of Russian workers. In the circumstances the constant repetition of the phrase " at trade-union wages " can only gravely mislead the reader in English-speaking countries. Also, how the White Sea Canal was built and the Transsiberian Railway was double-tracked by forced labour under the supervision of the Ogpu forms a lurid chapter of Soviet history. But in the two pages devoted to the former enterprise we have simply the uncritical adoption of some glowing tributes to the " latest example of the constructive work of the Ogpu." We are led to believe that the competitive sporting spirit of working-gang against working-gang, which we are so often told is one of the main Bolshevik contributions to the uplifting of Labour, was especially in evidence in this " non-descript army of law-breakers, vandals and enemies." For " in the Ogpu correctional camps they teach not only reading and writing but also political wis-

dom." The all too brief account winds up with the statement : " It is pleasant to think that the warmest appreciation was officially expressed of the success of the GPU, not merely in performing a great engineering feat, but in achieving a triumph in human regeneration." The fact that similar claims are made in connection with the regeneration of " free " labour throws a strong searchlight on propagandist methods and on labour conditions generally. There is overwhelming evidence to prove that the conditions of labour in Soviet Russia are far below the level which prevails in England. Why then are the Webbs, who have made it their life-work to study and ameliorate labour conditions in England, so blind to labour conditions in Russia ?

The same propagandist purpose is served by the insinuating repetition of the misleading statement that the Russian worker, in contrast to his British fellow, is blessed with " non-contributory insurance." In both cases the industry is the ultimate source of both insurance and wages, and the Russian worker contributes his insurance money just as much as the British, though not so directly—it is all deducted at the source. Finally, we must protest against the glorification of the fact that there is no involuntary unemployment in the Soviet Union. There would likewise be no unemployment in England, if the Government could exercise the same brutal control over labour as it does in Russia. The liquidation of unemployment in Russia is by no means due solely to the liquidation of capitalism, and the authors should be quite well aware of this fact—but they do not allow this to swerve them from their purpose.

The authors give great praise to the Soviet plan of granting full cultural autonomy to national minorities. But a cultural autonomy which does not include liberty to alter the principles of the economic organisation is strangely limited—and ought to appear so especially to those who claim that economic realities are at the base of all other human activities. It is characteristic of the authors that they always stress the lawless character of the White Intervention, whilst the forcible Bolshevisation of Ukraina and Georgia was apparently legitimate and proper. We are naively told that any national minority has a legal right to secede from the Union. The Constitution may concede this right ; but let them try to use it, and they will soon learn the difference between paper provisions and actual rights. All this and many other embarrassing facts the Webbs know quite well ; but the discovery of a " new civilization " seems to have dazzled or momentarily blinded them. In their enthusiasm they proceed to communicate their discovery to others, and this they do with a choice of phrase and epithet which they believe to be an objective presentation of facts, but which is far from being so. Perhaps the high-water mark of this insistent whitewashing is the frequent description of the Communist

Party as though they were an Order or Companionship of Knights, while their dictatorship is uniformly styled " a vocation of Leadership." So might the Jacobins have claimed to be in 1793 and 1794. What appears to old-world democrats as intrigue and oppression by an omnipotent Party becomes for the Webbs just a most valuable constituent part of the great educative campaign to raise the tone of the masses.

The authors depict for us a well-nigh perfect people enjoying well-nigh perfect institutions and feverishly building up a new Eden. In Soviet Russia we are shown a most successful attempt to unite the freedom of the individual with such organisation as modern political and industrial life makes necessary. The so-called dictatorship which reigns there is really a misnomer, and when the Bolsheviks themselves speak of a Dictatorship of the Proletariat, all they really mean is " the untiring corporate inspiration, evocation and formulation of a General Will among the huge population " of the U.S.S.R. ! As proof of the non-existence of a dictatorship the authors adduce the number of important offices which Stalin does not fill. Though Stalin is the real Head of the Soviet State, it is not easy to define his exact position in terms of the Soviet Constitution, and this throws a lurid light on the value of the various institutions to which so much space is devoted in these volumes. Considerable effort is made—but quite unsuccessfully—to prove that Stalin is not a Dictator. But if the Webbs object to calling him a Dictator, they have no objection to seeing in him the incarnation of the dead deity, Lenin, and we have no doubt that Stalin will be pleased with this apotheosis.

The portion of the work that deals with the philosophy underlying the " new civilization " is especially disappointing. And yet, in view of the subtitle of the work, this is the most important subject. But all that we are given is a picture so uncertainly sketched that it hardly calls for comment—at best we have to do with symptoms and consequences, not with roots. The discussion of the role of the State is merely a travesty of the views of Hegel and Lenin. This is particularly unfortunate in view of the manner in which Lenin's conception of the role of the state has helped to shape all subsequent Bolshevik policy. The failure to deal at all adequately with the Philosophy of Bolshevism leaves the whole subject-matter very much in the air, and the question mark in the subtitle loses, to a great extent, its *raison d'être*. And yet we should have thought that the long previous exposition of Soviet practice was meant to form the antechamber to Soviet Philosophy. As for the ideal of happiness put before the new proletariat, how far is it other than a materialistic petty-bourgeois philistinism ? And as for a reasoned exposition of Bolshevik ethics—if such a thing is possible—the reader will seek for it in vain in these

massive volumes. But how build up a "new civilization" without some philosophic basis? Are we to be for ever asked to shirk the examination of basic principles and to rest satisfied with reaction, half-rational, half-emotional, to the empirical facts of life—the New Life or the Old Life?

We should like once more to stress the importance of this work. That importance is not diminished by the uncritical manner in which the mass of material is dealt with. There is information in every page; but the inferences drawn from this information requires to be always examined and to be frequently rejected. The Webbs provide a rich mine; in its exploitation much detritus may have to be thrown up; it is for the critical reader to extract the gold.

J. M. O'SULLIVAN

THE CATHOLIC TRADITION OF THE LAW OF NATIONS. By John Eppstein. Burns Oates & Washbourne. 15s. net.

THIS book was prepared under the auspices of the Catholic Council for International Relations and published for the Carnegie Endowment for International Peace. It is an attempt to provide "a compendium of the teaching and tradition of Catholic Christianity upon international morality." It may be said at once that it will be of great value to students; for it gives, with constant reference to the sources, an admirable account of the unfolding and development of Catholic theory from the earliest times to the latest encyclicals. At almost every stage we get at once theory and authoritative teaching. The tradition is constant, but different aspects of it emerge under the stress of varying historical environments and conditions. Although the book is divided into five sections, it discusses three fundamental problems—the ethical and religious aspects of war and peace, the Society of Nations and the place of nationality in the Law of Nations.

It would be impossible in a review to give any adequate summary of the argument, but some points of interest may be briefly noticed. The simplest attitude towards war would seem to be altogether to deny its validity. Such an attitude was actually taken by earlier writers like Tertullian and Origen. This position, however, is too remote from the hard facts of life. The complexity of the problem was more keenly realised by St. Augustine, who laid down the lines later followed by Gratian and St. Thomas. With the spread of Christian ideas the belief in the universal brotherhood of men prevailed, at least in the European world. The universal recognition of the Papacy gave reality to this conception and served as a link between the various nations. The author also emphasises the authority of the Emperor, an authority vague perhaps and variable but still with a certain legal force. This authority found its most striking theoretical justification in Dante's

Monarchia. (The author cites it incorrectly as the *De Monarchia.*) When the medieval world passed away and the *respublica christiana* could no longer be maintained as a practical force in politics, the great scholastic writers of the sixteenth and seventeenth centuries insisted on the necessity of a Law of Nations. There is nothing novel in this except as a matter of emphasis. It is logically implicated in the whole christian idea. Vitoria and Suarez insisted that "a war otherwise just may not be prosecuted if it would do great harm to the common interests of mankind." Vasquez insisted upon the duty of submitting to arbitration.

It is important to realise that christian philosophy has never accepted the theory of the absolute sovereignty of the State. There are many reasons for this; but the root of the objection is to be found in the theory of individual and family rights, the rights of the Church as a supernatural society, and the rights of the wider human society over and above the State. If the State is defined as a *societas perfecta*, its perfection is not to be interpreted in the sense of state-absolutism. There is a wider society; but it is so vast that it has no natural or obvious institutions and therefore does not directly have at its disposal the use of force. It is founded, if you will, on justice and right. And the whole problem of the League of Nations is the problem of giving to these international or super-state rights an embodiment, an institutional form which will be a security against aggression. Just as the State itself may take many forms, so may the Society of Nations. As the author points out, in the medieval world this society tended towards the monarchical form—the Pope and the Emperor being regarded as above the individual States.

In the modern world the conception of a federation of States has prevailed. States must adjust their mutual difficulties and misunderstandings in some way—by diplomatic discussions, by conferences, by a League of Nations. If the League of Nations has not been a brilliant success, still the mere effort to construct it and the realisation that it is needed may be of permanent value. Moreover in its subsidiary functions, which are manifold, it has accomplished most useful work. The author points out that the actual League falls short of the Christian conception and tradition in certain ways. Apart from this, it carries a *damnosa haereditas* in the rearrangement of Europe by the Versailles Treaty. If a League of Nations could start from a *status quo* which could be regarded as just, it might have a reasonable chance of success. The exaggerated idea of nationality in the modern world has added to its problems. The nation—however it may be defined—is no more an absolute category than the State. Yet so much nonsense is written and spoken about it that an atmosphere is created fatal to the cause of peace.

D. O'K.

LE PRECEPTE DE L'AUMONE CHEZ SAINT THOMAS D'AQUIN. Par le R. P. Léon Bouvier, S.J. Montreal: The Author. 1935. $1.50.

THIS book, the first, as it appears, of a series to be published by the Professors of the Jesuit Collegium Maximum at Montreal, deals in a careful, scholarly way with the many difficult questions connected with almsgiving and with the answers to them given by St. Thomas. It puts the problem frankly and endeavours to find the systematic solution of it, that is, the solution which is objectively St. Thomas's because it fits in with his general system. It will be seen how useful and interesting the discussion is by simply stating the questions with which it deals :— Are owners of property bound to share their superfluous wealth with others ? When may an owner be fairly considered to possess superfluous wealth ? How do circumstances determine the obligation to distribute it ? How is this duty related to the right of private property ? And does the obligation spring from charity or justice ?

The method of inquiry is admirable. The author first examines St. Thomas's doctrine chronologically by placing the texts dealing with the problem in hand in their historical order and adding a running commentary, which shows what St. Thomas meant at each stage and how he changed or developed his views. In the next place he discusses the solutions given to the same or cognate problems by the leading theologians who preceded St. Thomas. Then the principle which underlies St. Thomas's solution is investigated and defined, and, finally the solution itself is given—namely, that there is a precept which presupposes private property and lays on the owners of such property a strict obligation both in charity and justice to distribute superfluous wealth among other members of the community.

St. Thomas's four main theses are as follows :—

(1) There are two distinct times when the obligation to give alms is incurred—where the owner possesses more than is required for the upkeep of his station in life, and when he is confronted by a person in extreme need ;

(2) There is an obligation to give away the entire surplus ; so that the mere circumstance of having superfluous wealth, apart from any other consideration, imposes an obligation of distributing the surplus ;

(3) Apart from the duty of giving alms to a person in extreme need, there is no obligation of giving alms to any particular poor person ;

(4) The disposition of soul necessary for the fulfilling of the precept in its twofold determination is always and everywhere obligatory.

Comparing this teaching with the doctrine commonly found nowadays in manuals of moral theology, the author notices a marked difference. The first thesis is abandoned, and the denial of the first leads logically to the rejection of the second : with the result that the social character of wealth remains in the shadow and emerges only as a secondary consideration, whereas St. Thomas and the theologians of his time regarded it as primary and intrinsic to the right of private property, to the right, that is, of developing and distributing the earth's resources by private initiative and control. Private property has two faces : one which looks towards private advantage, the other which looks towards the common good. If these two functions are divorced, economic administration becomes unjust. If the author's scholarly analysis and explanation of St. Thomas's doctrine induces others to accept the Saint's fundamental propositions and to fit them to the changed conditions under which we live, the pains he has taken will be amply repaid.

Fr. Bouvier points out that the duties of almsgiving presuppose the legitimate ownership of wealth by private persons, that the moral problems connected with almsgiving spring out of the recognised right and fact of private property. There is certainly a precept of the positive divine law to give alms for charity sake. But is there also a precept of the natural law imposing a similar obligation for justice sake ? Is the right of private property in its fullest sense so limited and determined at its very source that he who keeps all or part of his superfluous wealth unused, or spends it extravagantly on himself, or refuses to give it to a person in extreme need, commits an injustice ? There is no doubt but that St. Thomas teaches an obligation in justice, in legal if not commutative justice, because private property could not be divorced from its social function without violating the law which made it legitimate. That law St. Thomas calls the *jus gentium*.

Fr. Bouvier seems to hold that the *jus gentium* to which St. Thomas appeals, is a species of the Natural Law. In our opinion this is not the correct interpretation of St. Thomas's mind. The theologians who followed St. Thomas (with few exceptions) taught that the *jus gentium* was positive human law distinct from the Natural Law, from civil or statute law, and from what is called nowadays International Law ; and they were thereby able to show, by a convincing philosophical analysis and proof, how the right of the individual to own and of the community to enjoy the fruits that resulted from private ownership could be reconciled both with each other and with the Natural Law. A closer study of St. Thomas's " authorities," of St. Isidore and the Roman Jurists, and of the theologians who followed as well as those who preceded him, would have helped Fr. Bouvier to determine more accurately what St. Thomas meant by the *jus gentium* and how in the

famous sixty-sixth question of the Secunda secundae he tried to reconcile his authorities with his own view. Fr. Bouvier's account of St. Thomas's conclusions are correct; his account of the grounds upon which these conclusions are based is more open to question.

A useful and stimulating inquiry. J. E. C.

MORALE ET CAPITALISME. Par Henri du Passage, S.J., Directeur des "Etudes." Paris: Flammarion. 1935. Pp. 248. 12 francs.

THIS latest volume of the Bibliothèque d'Études Catholiques et Sociales is as actual and as timely as were its predecessors. Capitalism in practice has been for the last fifteen years or so subjected to a series of internal crises and strains which again and again threatened and still threaten its existence. At the same time it has been and is being attacked from outside by a number of remarkably able economists and sociologists. It does not do what any economic system should do, say some, for there is "poverty amidst plenty;" it cannot do what it ought to do, say others, for it is an economic monstrosity. A third attack came from the side of certain moralists, who saw in capitalism something immoral and vicious. It is with this last attack that Father du Passage is concerned.

He sets out to examine the relations of capitalism to morality. The first part of his book is devoted to the question of the profit from capital. It contains five short and clear chapters dealing with the nature of "profit"; the nature, function and "rights" of capital; and some attempts at a just distribution of the profit. The author's conclusions are what we should expect from a Catholic moralist with a sound knowledge of economic theory and practice. He refuses to condemn, on moral grounds, profit; and, on economic grounds, he refuses to foretell its natural death. He thinks that a new distribution or sharing of profit will arise by means of higher wages and shorter hours, and that this new sharing is morally called for. An eminently sane conclusion, already clearly enunciated by Pope Pius XI in *Quadragesimo Anno.*

Some thirty pages are devoted to an examination of the notion "capital." It is to be hoped that all Catholic social students will make themselves familiar with these pages. Such extraordinary and dangerous notions concerning interest and usury have appeared at times over the names of reputable Catholic writers that Father du Passage is to be thanked for restating the Catholic view. His restatement, as he acknowledges, is largely taken from *De justo auctario ex contractu crediti*—a book over thirty years old but still unsurpassed—by Cardinal van Roey. After explaining the rôle capital plays in the production of wealth and its consequent "rights" to a reward,

the author concludes this first part by a rapid sketch of a number of more or less tentative systems of redistribution of profit.

The second part of the book is entitled "Modern Capitalism." It consists of an historical sketch of the rise of capitalism, an analysis of the "spirit of capitalism," an examination of some manifestations of modern capitalism, and a final word on remedies and a forecast. As to remedies, Father du Passage follows Pius XI and the whole tradition of nineteenth century Catholic sociology. He is one of those "qui ne veulent ni de l'ancien libéralisme ni du socialisme centralisateur," but look to a corporative organisation of society as a first step towards a better system. "A first step"—for more than mere organisation, however perfect, is required. But is this first step likely to be taken? Father du Passage refuses to practise "le métier de prophète." But he ends by quoting an example: "Voici quelques années, un professeur belge, M. de Man [he is now a member of the Belgian Cabinet], marxiste désabusé et socialiste resté convaincu, a écrit un livre qui fit quelque bruit. Il l'avait intitulé: *Au delà du Marxisme*. Il y montrait les erreurs des théories ou théorèmes de son ancien maître. Il y dénoncait l'illusion mauvaise de la lutte des classes. A travers mille remarques ingénieuses ou contestables, il en arrivait à voir seulement dans le socialisme 'une aspiration éternelle vers un ordre social conforme à notre sens moral.'" E. J. C.

Philosophy

THE LOGIC OF WILLIAM OF OCKHAM. By Ernest Moody. London: Sheed and Ward. 1935. 12s. 6d.

Mr. Moody deserves the thanks of all students of medieval philosophy for this very conscientious and scholarly piece of work. Ockham's writings are almost inaccessible to the ordinary student, and most of us know what we know of his philosophy and theology at second or third hand. Even his *Summa totius logicae* is difficult to find in any ordinary library; and his Commentary on the Sentences, *Quodlibeta* and commentaries on Aristotle are very rare indeed. Mr. Moody has been fortunate in one respect. His friend, Dr. Richard McKeon, who is preparing a volume on *Philosophy in the Middle Ages*, has acquired a set of photostatic copies of Ockham's works; and Mr. Moody has been allowed free use of these. So at least we are told in the preface; but a careful study of Mr. Moody's volume has led me to believe that he has only had access to copies of the *Summa totius logicae* and the *Expositio aurea*. These are quoted throughout in detail and with commendable fulness. Indeed this volume would be invaluable were it only for the large number of verbal quotations from these two treatises which it contains. But there is no indication that Mr. Moody has

anything like as full a knowledge of Ockham's other writings. The *Quodlibeta* are simply ignored ; and the very few quotations that are given from the Commentary on the Sentences are plainly taken from some secondary source. It seems thus a fair guess that Mr. Moody has not had the use of photostatic copies of these works ; and the fact is of some importance. For Mr. Moody has not confined himself strictly to his subject—the logical theory of William of Ockham—but has ventured some very remarkable judgments on Ockham's true place in the history of scholastic philosophy. We are not in any sense belittling Mr. Moody's achievement, if we suggest that his conclusions on these wider issues are open to question, whilst his statement of Ockham's logical principles is both authoritative and most helpful to every student of the subject.

One of the most interesting points raised in this volume is the relation of Ockham's theory to the Porphyrian interpretation of Aristotle's *Categories*. Mr. Moody argues that Porphyry's treatise on the predicables, and his insertion of the individual as a sixth predicable, is due to his Platonist metaphysics ; and that all medieval philosophy down to Thomas Aquinas and Ockham shows the influence of this subtle reinterpretation of Aristotelian thought. In his view Aquinas and Ockham are the two great Aristotelian commentators of the Middle Ages ; and he seeks in an elaborate passage of his third chapter to equate their theories of knowledge, in contrast to Arab Platonism or neo-platonist Augustinianism. This is probably the passage in Mr. Moody's work which will attract most attention ; for on it rests the main thesis of this very stimulating volume. Ockham, so Mr. Moody holds, has been misunderstood and misrepresented by a succession of scholars who have seldom troubled to read his works. Far from being anti-metaphysical and anti-realist, the father of a sceptical philosophy that marks the decline of medieval thought, he is in the line of the great Aristotelians ; and his interpretation of Aristotle's *Organon* is the first successful effort to shake off the influence of Porphyry's neo-platonist interpretations. Our histories of medieval philosophy, so Mr. Moody argues, must be rewritten. " If the effort to reduce all determinate concepts to the status of conventional signs is characteristic of nominalism, then Ockham, far from being a nominalist, is, with the possible exception of Aquinas, the most thorough-going critic of nominalism that the Middle Ages produced " (p. 89).

This is indeed a drastic rewriting of history ; and it is impossible to feel that Mr. Moody has proved his point. There is, of course, a sense in which Ockham's philosophy (*terminalist* would be a better adjective than *nominalist*, if we are to avoid confusion with the nominalism of an earlier age) is far less sceptical than modern writers, who know little of his actual work, are fond of claiming. His " logic

of terms " is not a denial of metaphysics, but must be closely related to his theory of knowledge with its insistence on our intuition of the individual nature as opposed to the usual medieval theories of abstract understanding. And it is just here that it is impossible to feel satisfied with Mr. Moody's treatment of his subject. Confining himself almost entirely to two logical treatises (of most uncertain date, and—in the case of the *Expositio aurea*—of uncertain authorship as well), he has risked a series of sweeping generalisations on a very inadequate examination of his subject. Any reader who will take the trouble to read carefully through the long note on pp. 50–51, in which Mr. Moody seeks to show that Thomist and Ockhamist theories of knowledge must really be identical, in spite of some very awkward statements in the writings of St. Thomas, will probably have the feeling that Mr. Moody is less familiar with the *Summa* of Aquinas than he is with the *Summa totius logicae* of Ockham. Though the two thinkers are undoubtedly at one in their opposition to the neo-platonist or Augustinian theories of illumination by a separate intellect from the human mind, they are very far indeed from being in agreement in their analyses of our mental processes ; and this fundamental disagreement is at the back of the many striking contrasts between the metaphysics of Aquinas and the metaphysics of Ockham. Thomist philosophy is essentially intellectualist : Ockham's thought derives from Scotus, and insists on the contingency of nature and the possibility of God's arbitrary action to such a degree as to undermine all confidence in our intellectual conclusions. Those historians who see in Ockham the transition from medieval *a priori* theories to modern inductive methods of reasoning are surely right ; and Ockham, like most contemporary Oxford thinkers, is far more under the influence of Scotus (who also admitted an intuitive knowledge of the individual) than of St. Thomas or any of the Thomist school. Where he differs from Scotus is in his decided rejection of all Augustinian influences ; and his determination to elaborate a philosophy that shall be essentially rational—even though it be necessary to admit another sphere of truth and thought, where divine revelation opens up to us supernatural knowledge.

Apart from this main issue, in which the author deliberately challenges the accepted interpretations of scholastic tradition, Mr. Moody's volume is a thoroughly conscientious statement of Ockham's logical theory. The seven chapters into which the book is divided do not make easy reading ; but that is largely the fault of Ockham's own very subtle terminology, though the author has sometimes added to the obscurity by an endeavour to equate various medieval theories with some exceedingly modern philosophical systems. The book should be read in close conjunction with an exceedingly able statement of Ockham's metaphysical theories by E. Hochstetter (Berlin, 1927),

where the reader who has not access to Ockham's own works will find a very liberal supply of verbal quotations from the whole range of Ockham's writings ; and in particular a statement of Ockham's theory of knowledge which is more careful and more thoroughly documented than Mr. Moody's somewhat sketchy treatment of the subject.

One last point of criticism must also be made. Mr. Moody has resolutely refused to face the problem of the chronology of Ockham's writings. He quotes from the two logical treatises on the assumption that they represent an unchanging logical theory, to whatever period of Ockham's life they may be assigned. But this is very far from being certain. Ockham's intellectual life was long and abnormally active. If we hold, as there is good reason to hold, that the *Quodlibeta*, the *Summa totius logicae* and the *Expositio aurea* (if this last is from his pen) belong to the period when he had broken both with Oxford and Avignon and was living in exile in Germany, then we are entitled to ask the question : did Ockham's theory of logic not develop with the long years of his literary career ? The point is of some relevance, for Mr. Moody has quoted Ockham's use of the term *moderni* to designate his opponents, and has argued from this usage that Ockham felt himself to be the interpreter of established truth against the errors of his opponents. Nothing could be more unlike the Ockham whom we know from his theological controversies—the daring thinker, who is never so happy as when he is questioning the received opinion of the Schools. My own view is that Ockham is here alluding to such opponents as Walter Burley, whose literary activity falls mainly between the years 1330 and 1340 ; and that he is taking a perverse delight in retorting that charge of " modernity " which had undoubtedly been made against him by the Chancellor of the University, Lutterell, and his other critics, in the strenuous days of his Oxford lectures on the Book of the Sentences (1322–24). William of Ockham was a fighter from first to last ; and he was as ready to take up the cudgels against a " modern " like Burley, who went only half way with him on some points and further than Ockham was prepared to go on others, as he was to defy the orthodox Augustinian traditions of Oxford as a young *bachalarius sententiarius*. The story of his life has still to be written, and much has still to be done, both in establishing the chronology of his writings and in clearing away the fog of misunderstanding which has obscured his thought for so many modern readers. Mr. Moody has rendered a real service to all students by his conscientious study of the two principal logical treatises of this singularly able thinker ; and both he and his publishers deserve a word of congratulation on the publication of a volume that is not likely to make a wide appeal, but which will be all the more gratefully welcomed by the few who are interested in the true history of medieval philosophy. A. G.

LEHRBUCH DER EXPERIMENTELLEN PSYCHOLOGIE. Neue Forschungsergebnisse als Nachtrag zu Band $I^{2\,3}$ (1923). Von Joseph Fröbes, S.J. Freiburg : Herder. 1935. 1.50 m.

THOSE who have read Dr. Fröbes' *Lehrbuch* will be very glad of this supplement to Vol. I, giving a summary of the recent contributions to the questions treated in that volume. These include : the scope and methods of Empirical Psychology, sensation, perception, images, thought, association of ideas, psychophysics. Even for those who have not the *Lehrbuch*, this supplement will be very useful as a guide to the recent literature.

The author explains that the supplement as first written was three times its present size, but was condensed at the wish of the publishers. This involved drastic selectiveness in the summaries.

The labour of tracking out the new work in so many departments of Psychology must have been enormous, and there is not much that has escaped the vigilant author. I would call his attention to the important recent research by Dr. J. M. O'Connor on temperature sensations. J. S.

AN ENQUIRY INTO MORAL NOTIONS. By John Laird, Regius Professor of Moral Philosophy in the University of Aberdeen. London : Allen & Unwin. 1935. 10s. 6d.

THIS work is divided into three parts, called Aretaics, Deontology, and Agathopoeics, dealing with the three fundamental notions of Ethics—virtue, duty, and well-being. The main problem of the book is that of the relation of these notions to each other : whether any one of them can be made the foundation of Ethics, supporting the other two, or whether they are independent and co-ordinate notions. The latter view is maintained by recent Oxford writers, here called New Intuitionists. The author has been deeply impressed by their views ; and this " Enquiry " seems to be, in the main, a re-thinking of his position in Ethics in view of this new development.

Professor Laird's usual subtlety and finish of style enliven the intricate argument. The discussion is very stimulating ; the field of Ethics is effectively raked up ; and even if conclusions are only diffidently suggested, the reader is challenged with a continuous series of thought-provoking problems.

The book is well designated an " Enquiry ": the note of interrogation is dominant in its pages. It is a pity that along with much solid discussion there is so much that is merely aporetic—and even merely dialectical. The work makes a " mannerist " impression, as if the author were imitating the sceptical aloofness of Hume or the poising of Sidgwick. So keen is he on finding difficulties that he will dispute the

most obvious propositions and distinctions. One is reminded of the Scotsman's unwillingness to agree that two and two are four until he was sure what use was to be made of his admission. Thus, to such a plain question as, do moral distinctions apply to the behaviour of animals, we do not get a plain answer. We are told (p. 58) that we commonly deny morality to the animals ; but also (p. 52) that it would be quite arbitrary to hold that morality is simply a human affair. The Sorites sophism is pressed to such an extreme that scarcely any sharp notions remain in Ethics. Much of the argument is taken up with elaborating the difficulty of drawing a precise line between inward and outward, durable and transitory, voluntary and involuntary, etc.

As we should expect from this, his own conclusions, which he suggests hypothetically and with great caution, are peculiarly elusive. He disagrees with Utilitarianism, but holds to an ethics of benefit. He disagrees with the " federalism " of the New Intuitionists, but goes a certain distance with them. " Justice is not only ' right ' and ' fitting,' but *also* good " ; and (to take a typical sentence) " it is tempting at least to hold that there is no justification of conduct (moral or otherwise) except on account of some goodness pertaining to it."

This vagueness is, perhaps, an indication that this " Enquiry " is an unfinished symphony ; a case of " doing one's thinking before the public " rather than of arriving at conclusions.

The discussions in Scholastic treatises *De Actibus Humanis*, on the constituents of moral acts, enter with great minuteness into several of the questions raised in this book. J. S.

LA PHILOSOPHIE DE LA NATURE. By Jacques Maritain. Paris : Téqui. 1935. 15 fr.

IN this, his second contribution to that very actual series, *Cours et Documents de Philosophie*, M. Maritain has written a *Prolegomena* to Cosmology. He has set himself to assign its rightful place in the hierarchy of Knowledge to what scholastics called *Philosophia Naturalis* (which is not at all the same as natural philosophy). That position has been ignored and denied by opposite schools ; and the territory of this science has been invaded from opposite directions. Many modern scholastics, accepting too easily Wolff's division of Philosophy, have considered it as a part of Metaphysics. But a science whose object is *ens qua ens* cannot be the same as one whose object is *ens mobile*. Modern scientists have absorbed it from the other direction —or rather have ignored it as having no *locus standi* and nothing to say in explanation of the universe. Historical reasons might be assigned for this double error. But a vindication of the position and rights of this discipline was needed, and M. Maritain has done it efficiently and brilliantly. He shows that it stands midway—or rather

on a middle level—between Metaphysics and the Physical Sciences: that it differs from both in formal object, method and scope; that it exercises a distinctive function; that it is presupposed by Metaphysics and complements the Sciences. M. Maritain's book—which, needless to say, is written with his usual power—is a further proof of the permanent vitality of the *philosophia perennis;* and the author is one of those who has contributed to its organic growth, one of those who are competent *vetera novis augere.* H. K.

Literature: German and English

THE TYRANNY OF GREECE OVER GERMANY. A Study of the influence exercised by Greek Art and Literature over the great German writers of the 18th to the 20th centuries. By E. M. Butler. Cambridge University Press. 1935. 15s.

Miss Butler has laid students of German Literature and, I hope, the general reader as well under an obligation by the publication of this eminently readable and finely written book. A subject that might have been dull and trite she has made sparkling and original. The subtitle is one that links up the work with much that has been written before and that Miss Butler includes in her Select Bibliography. But she views the subject from a new angle. Her methods are different, and her treatment has the interest that the study of great creative minds, in conflict with themselves or with their age, evokes. Her theme is not literary influence in the accepted sense of that somewhat dull subject. It is rather the fatal fascination which the Greeks, as they were misunderstood by the 18th century, exercised on some of the greatest intellects of Germany from 1700 to 1900. Miss Butler is, above all else, at pains to show the deflection from reality and from life which that fascination implied for the German temperament. Starting with Winckelmann, it arrested Goethe's genius; it "smote Schiller hip and thigh"; it was responsible for the insanity of Hölderlin and Nietzsche; it induced in Heine a tragic despair which culminated in revolt; it underlay the attitudinizing and the hero-cult of Stefan George and his circle.

Miss Butler outlines her theme in a general survey of the Germanic temperament with its striving after the absolute, its ignoring of obstacles, and its unawareness of danger where ideas and ideals are concerned. In connection with the Reformation and the Renaissance in Germany she says: "By depriving the Germans of Roman Catholicism, Luther took from them a system which had nourished their mysticism and ministered to their sense of beauty whilst commanding their belief. In a word, he destroyed the mythological element of Christianity, that poetical combination of beauty and truth

for which they have ever since been seeking in Nordic or Greek mythologies or by reverting to the Catholic faith." Miss Butler finds the German temperament baffling. So do many others, and that not only in its earlier but still more in its later manifestations. She apologises for what she regards as the sensational character of her "tyranny" thesis, but she maintains that the sensationalism is not of her providing, but derives from the nature of the German mind.

What the student of German critical literature in the last thirty-five years will admire in this book is not only the author's unerring comprehension of the poetic, but also the clearness of her exposition, the delicious lightness of her touch, her abounding common sense, her objectivity and her wit. Her Goethe chapter is an excellent essay in the art of interpretation and, though most of the underlying ideas are already familiar, Miss Butler's handling of them is new. Her treatment of the greatest genius of modern times is in deliberate and justifiable contrast to what she rightly calls the "monstrous adoration" of biographers like Gundolf and to the jargon which he has made so devastatingly fashionable in the German criticism of to-day.

It is significant for Miss Butler's likes and dislikes that Heine claims, after Goethe, the longest chapter in the book. In a previous publication, *Saint Simonism in Germany*, she had occasion to deal at length with this fascinating German Jew poet who, long before the days of Hitler, had been ejected from the German Pantheon—not so much for racial as for political reasons. She shows him as the rebel against the Winckelmann ideal, tragically affected by it, but breaking it in the end and substituting for the Appolline a Dionysian God. It is Heine whom Miss Butler makes partially responsible for inspiring Nietzsche's *The Birth of Tragedy*, and it is his Dionysius who echoes so tragically in the last insane cries of one of the "profoundest minds of Germany."

Miss Butler's sane sense of realities and her critical acumen where matter and form of Germany poetry are concerned is nowhere more evident than in the chapter on Stefan George—"this aesthetic law-giver who tampered with the deep, unconscious wells of poetry." Her attack on his circle is just, if merciless. Through that circle and their so-called biographies (she calls them essays in hagiography) as well as through other biographies of Nietzsche, etc., she finds "the German horizon now well and truly surrounded by myths—national heroes for the most part, transformed into supermen, still further mythologised in the last few years as the prophets and forerunners of Adolf Hitler, not gradually and slowly by popular accretions and superstitions, but violently, wilfully by highly intellectual if much bedazzled minds."

Though I could differ from many of the individual judgments passed

by Miss Butler, I have only two faults to find with her work. The first is with the essay on Winckelmann. It is the least illuminating of the series. The author is out of sympathy with her subject, whose knowledge and industry are uncanny but whose personality she dislikes. She is misled into dwelling on the meanness of his nature and on the rather shabby details of a trying relationship between poverty and patronage. The letters of other and greater men than Winckelmann touch a sensitive spot in modern minds when they enter into details of begging and borrowing so frequent in the lives of struggling men of genius in the eighteenth century. The second fault is that the book, in spite of its 336 pages, is not long enough for me. Miss Butler has such a complete familiarity with her subject and such a grasp of realities that we would like to see her treating at greater length questions which she has thrown up here and there in these essays. But this second fault is not a fault at all. That banquet is excellent from which one stands up satisfied but not over-sated.

MARY M. MACKEN

EARLY VICTORIAN NOVELISTS. Essays in Revaluation. By David Cecil. London: Constable. 1934. Pp. 332. 10s. net.

THERE has been a need for a survey of the Victorian novel—the general books on the English novel all stop short of this period—and Lord David Cecil's book supplies it. It consists of essays on Dickens, Thackeray, the Brontës, Trollope, George Eliot and Mrs. Gaskell.

The author has a pointed and exact critical style, and makes good use of comparison and distinction. Thus, on Emily Brontë's poetry: "The poetry of Dickens is the poetry of atmosphere: that of Charlotte Brontë is the poetry of mood. Both appear in the setting of their dramas, rather than in the drama itself. The poetry heightens the situation with which it is connected: it is not intrinsic to it: you could take it out, and the scene, though poorer, would still exist in its essentials. It is its dress, not its blood and bones. Emily Brontë's highest flights, on the other hand, are inherent in the structure of her drama. They express themselves in the turn which the plot takes; their images are the necessary actions and words of the characters."

Emily Brontë, incidentally, is raised above her contemporaries by an interesting theory of *Wuthering Heights*, which gives it an epic unity beyond anything they achieved. Her sister Charlotte is well studied in her astounding virtues and faults, and given the uneasy immortality she earned: "predestined to hover restlessly and for ever, now at the head, now at the foot of the procession of letters, among the unplaceable anomalies, the freak geniuses." Mrs. Gaskell is placed, with more ease and more comfort, among the minors, an

admirable feminine observer and humorist; a Goldsmith in skirts. We are shown the failure of all these ladies with their men. Mrs. Gaskell's males are " all sisters under their skins "; Charlotte Brontë's, for all their bass voices and moustaches, are just stormy girls. We might wonder what may happen to the admired heroines of the world's classics when the women critics really get to work, were it not that George Eliot restores our faith in the possibility of one half of the world understanding the other. Despite some faltering with her official heroes, she can present genuine workmen, politicians, gentlemen—even, hardest of all, young men.

This most neglected of the Victorian excels them all in some respects. Her characters live inwardly; we *understand* them, though we may not *see* them as vividly as we see Pickwick. We see not perhaps how they look, but how they act, how they are tempted, how they develop. And she has, unlike the rest (with the partial exception of Thackeray), a philosophy of life. There is a clear working out of moral problems in her characters, which gives her books logic and artistic unity. She knew, what the others hardly suspected, that the novel could be more than an entertainment, that it could be great in the manner of an epic or a tragedy; she at least aspired to something like *Hamlet* or *War and Peace.* Yet we read her and are dissatisfied. Her creed of puritanism without religion makes a chilly and inhuman world.

Lord David moderates, while giving him his large due, the current over-praise of Trollope; pointing out that he has neither a strong imagination nor the sort of style that finds unforgettable words—though exception is made for the memorable " ' Unhand it, sir ! ' said Mrs. Proudie." Dickens, he says rather surprisingly, is the only Victorian " whose popularity has suffered no sensible decline." He is the most unequal of all, his books a chaos of good and bad; and it is to be feared that most of us now see only the bad and are disgusted by it. We see the half-educated, unintellectual Cockney, writing weary pages on subjects outside his range, revelling in melodrama " too stagey for the *Boys' Own Paper* " and in " sobstuff " a Hollywood director might pronounce overdone; we miss the marvellous fantast in character and scene, who excels equally in the humorous and in the sordid and horrible. Perhaps fault may be found with the shortness of this essay and that on Thackeray, which seem to reduce these two, after all the greatest, to the scale of the rest. Thackeray is shown as having a point of view on life which gives him detachment and his books unity; but as limited nevertheless because the point of view is always the same—that of the detector of vanity—and because it is one from which not everything can be seen.

The book may be commended to the amateurs of fiction, both those

who, not yet having much explored this province, are in need of a guide and those who, having travelled it over and over, would enjoy an exchange of experiences with a wise fellow-traveller; and it may be commended no less to the serious student of literary theory and literary history.

J. J. H.

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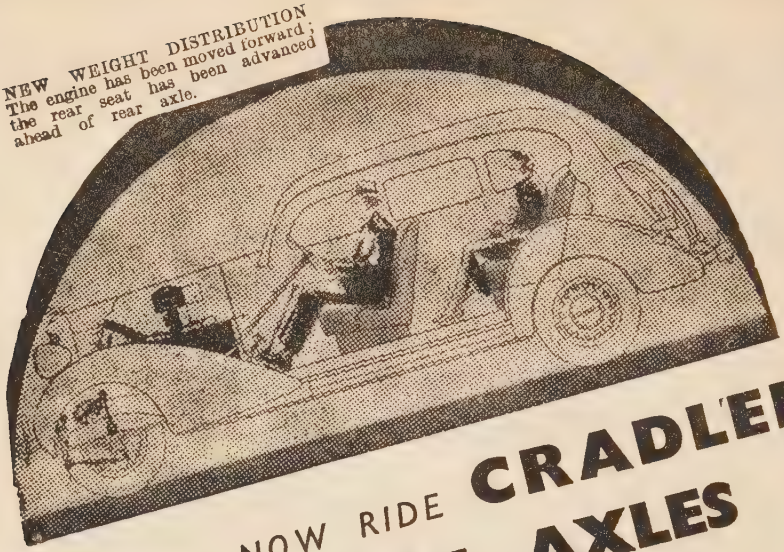

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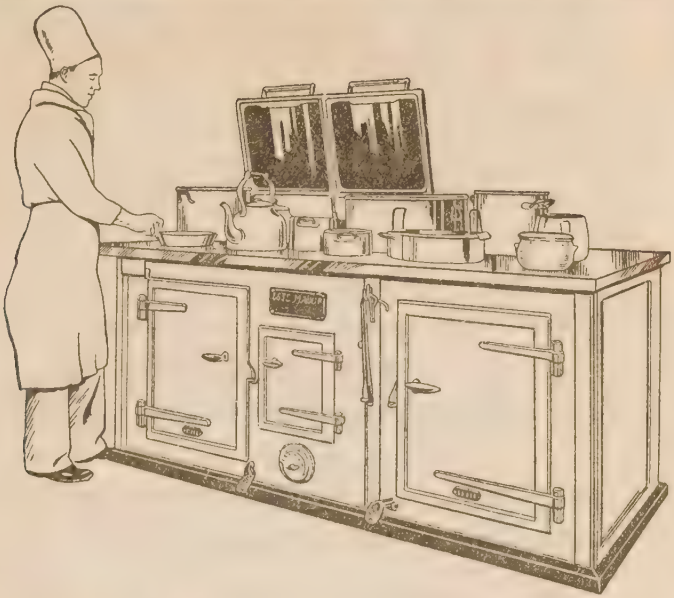

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